

The Gazette of India



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NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 1st August 1958 :—

Issue No.	No. and date	Issued by	Subject
141	S.O. 1504, dated the 25th July 1958.	Ministry of Information and Broadcasting.	Certification of films to be of the description specified therein
	S.O. 1505, dated the 25th July 1958.	Ditto	Corrigendum to Order No. 120, dated the 21st June 1958.
142	S.O. 1506, dated the 26th July 1958.	Ditto	Certification of film to be of the description specified therein.
143	S.O. 1507 to S.O. 1511, dated the 30th July 1958.	Election Commission, India.	Notifications regarding to fill a vacancy in the seat allotted in the State of Andhra Pradesh in the Council of States.
144	S.O. 1576, dated the 30th July 1958.	Ministry of Commerce and Industry.	No person shall enter into forward contracts for the sale or purchase of barley without permission of the Central Government.
	S.O. 1577, dated the 30th July 1958.	Ditto	Application of section of the Forward Contracts (Regulation) Act, 1952, to non-transferable specific delivery contracts in respect of barley.
	S.O. 1578, dated the 30th July 1958.	Ditto	No person shall enter into any non-transferable specific delivery contracts for the sale or purchase of barley without permission of Central Government.

Issue No.	No. and date	Issued by	Subject
145	S.O. 1579, dated the 24th July 1958.	Election Commission, India.	Corrigendum to Election Commission notification No. 82/472/57/8590, dated 26th June 1958.
146	S.O. 1580, dated the 1st August 1958.	Ministry of Commerce and Industry.	Fixation of the price of tea for the purpose of Item 5 in the Second Schedule to the Indian Tariff Act, 1934.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 2nd July 1958

S.O. 1587.—Whereas the Central Government is of opinion that the system of booking accommodation in pilgrim ships for Haj pilgrims specified in the Schedule annexed hereto should be enforced during the Haj Season in 1959;

Now, therefore, in exercise of the powers conferred by Section 289C of the Indian Merchant Shipping Act, 1923 (21 of 1923), the Central Government hereby exempts Messrs. Mogul Line, Bombay and every other shipping company engaged in pilgrim traffic from Bombay to the Hejaz, from such provisions of the said Act and the Indian Pilgrim Ships Rules 1933, as are not in conformity with the aforesaid system of booking accommodation in pilgrim ships carrying pilgrims from Bombay to Jedda during the year 1959.

THE SCHEDULE

System of Booking Accommodation at Bombay for Haj Pilgrims

1. *Schedule of sailings.*—Every Shipping Company shall announce a provisional schedule of outward sailings 6 to 9 months in advance. Firm dates of sailings shall be advertised by the Shipping Company at least 15 days in advance as required under the provisions of the Indian Merchant Shipping Act, 1923. The penal provisions of the Indian Merchant Shipping Act, 1923 shall operate with reference to the firm sailing dates as advertised.

2. *Advance reservations of passages.*—(i) Reservation lists for all sailings announced in the provisional schedule shall be opened by the Company simultaneously and intending pilgrims will have the option of availing passages in whatever ship they like. Such reservations shall be made only on payment of a deposit of Rs. 100 per adult and Rs. 50 per child accompanied by applicant's full particulars with photograph (in case of male applicant) which will be pasted on the receipt issued by the Shipping Company for reservation of passages. When reservations of a particular ship are complete, the Shipping Company shall refuse to accept any further deposits for that particular ship.

(ii) A cabin class pilgrim may make an application for reservation of a deck passage for his servant, and may in genuine cases take any other servant than the one mentioned in the application.

3. *Registration on waiting lists.*—Persons whose deposits for advance reservation are received after the reservation of accommodation on all the ships is complete shall be kept on the common waiting lists with the shipping company.

Persons who may not have made any advance reservation of passages but who may reach Bombay and ask for passages, shall also have to get their names registered on waiting lists with the shipping company. Registration of such persons on the waiting lists will be made on an application for registration on waiting lists accompanied by a deposit of Rs. 10 per passenger and a copy of the photograph of the person concerned. Registration on waiting lists shall be made strictly in order of the receipt of deposits aforesaid by the shipping company.

4. *Purchase of tickets.*—All persons who may have made advance reservations of passages shall have to purchase their tickets at least 3 days before the sailing date. Such of the persons as fail to purchase tickets 3 days in advance shall be deemed to be not travelling in those ships. Passages not previously booked in particular ships or released by passengers who do not purchase their tickets 3 days in advance shall be offered according to the order referred to in paragraph 3 to the persons whose names are registered on the waiting lists.

5. *Treatment of deposits when passages are availed of.*—The deposit of Rs. 100 or Rs. 50 or Rs. 10, as the case may be, shall be accounted towards the cost of passage when the passage has been availed of.

6. *Treatment of the deposit when the passage is not availed of.*—When a person has reserved his passage and does not intend to avail of the same and gives 10 clear days' notice of his intention to the company in advance of the sailing date then his deposit shall be refunded in full.

(ii) In the case of a person who has reserved his passage but is prevented from availing of the same due to unforeseen circumstances, such as death in the family the deposit may be refunded to him in full; any dispute that may arise shall be referred in the first instance to the Chairman, Port Haj Committee, Bombay, and if the Chairman's decision is not acceptable to the pilgrim concerned or to the shipping company, the Chairman shall refer the matter to the Presidency Magistrate or the Magistrate of the first class exercising jurisdiction in the Port. The decision of the Magistrate shall be final and there shall be refunded to the pilgrims any amount allowed to him by such decision.

(iii) A person who has reserved his passage by a particular ship but is unable to avail of the same and desires to travel by a subsequent ship, may be given full credit in respect of his deposit towards the cost of passage.

(iv) In all other cases where a person has reserved his passage but does not avail of the same, a deduction of 10 per cent will be made while refunding the amount deposited by him.

(v) Where a person has got his name registered on the waiting list and does not avail of the passage when offered, a sum of Rs. 10 shall be forfeited from his deposit and the balance, if any, shall be refunded to him by the shipping company.

(vi) When a person who has got his name registered on the waiting list and is not offered any passage, the amount paid by him as deposit, shall be refunded to him in full.

7. *Scrutiny.*—The records of the shipping company in respect of reservation of passages as well as waiting lists shall be open to scrutiny by the Central Government, Chairman of the Port Haj Committee, Bombay, Executive Officer, Port Haj Committee, Bombay or 2 members of the Port Haj Committee, Bombay nominated by the Chairman, or any officer or officers, nominated by the Committee for this purpose.

[No. 374-WANA/58.]

P. N. KAUL, Dy. Secy.

New Delhi, the 4th August 1958

S.O. 1588.—In exercise of the powers conferred by clause (a) of section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorises Shri Randhir Singh, Registrar, Legation of India, Vienna, to perform the duties of a Consular Agent with immediate effect and until further orders.

[No. 6(13)Cons/58.]

S. N. SHEOPORI, Under Secy. (Cons).

MINISTRY OF FINANCE**(Department of Expenditure)***New Delhi, the 31st July 1958*

S.O. 1589.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, the President, after consultation with the Comptroller and Auditor-General of India in relation to persons serving in the Indian Audit and Accounts Department, hereby directs that the following further amendments shall be made in the Civil Service Regulations, namely:—

In Article 828 of the said Regulations—

(i) the existing Note below the form of medical certificate shall be renumbered as 'Note I', and

(ii) after 'Note I' as so renumbered, the following Note shall be inserted, namely:—

"NOTE 2.—In a case, where the period of leave initially recommended, or the period of leave initially recommended together with any extension thereof subsequently recommended, does not exceed one month, the Medical Officer should invariably certify whether in his opinion it is or it is not necessary for the officer to appear before a medical committee".

[No. F.7(42)-Est.IV/58.]

C. B. GULATI, Dy. Secy.

(Department of Economic Affairs)*New Delhi, the 29th July 1958*

S.O. 1590.—In pursuance of clause (aa) of sub-section (1) of section 10 of the Industrial Finance Corporation Act, 1948 (XV of 1948), the Central Government hereby nominates Shri A. Bakshi, Joint Secretary, Department of Economic Affairs, Ministry of Finance, to be a Director of the Industrial Finance Corporation of India *vice* Shri S. Ratnam.

[No. F.2(6)-Corp/58.]

N. R. REDDY, Dy. Secy.

(Department of Economic Affairs)

New Delhi, the 30th July 1958

S. O. 1591.—Statement of the Affairs of the Reserve Bank of India as on the 25th July 1958.
BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital paid up	5,00,00,000	Notes	25,33,58,000
Reserve Fund	80,00,00,000	Rupee Coin	2,03,000
National Agricultural Credit (Long-term Operations) Fund	25,00,00,000	Subsidiary Coin	2,98,000
National Agricultural Credit (Stabilisation) Fund	3,00,00,000	Bills Purchased and Discounted :—	
Deposits :—		(a) Internal
(a) Government		(b) External
(1) Central Government	70,14,29,000	(c) Government Treasury Bills	2,38,14,000
(2) Other Governments	28,66,29,000	Balances held abroad*	12,52,74,000
(b) Banks	107,84,96,000	**Loans and Advances to Governments	14,76,11,000
(c) Others	143,20,46,000	Other Loans and Advances†	55,05,93,000
Bills Payable	14,71,20,000	Investments	363,17,00,000
Other Liabilities	8,24,79,000	Other Assets	12,53,48,000
Rupees	485,81,99,000	Rupees	485,81,99,000

*Includes Cash & Short term Securities.

**Includes Temporary Overdrafts to State Governments.

†The item 'Other Loans and Advances' includes Rs. 7,79,97,000/- advanced to scheduled banks against usance bills under Section 17(4) (e) of the Reserve Bank of India Act.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 25th day of July 1958.

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department	25,33,58,000		A. Gold Coin and Bullion :—		
Notes in circulation	1541,83,37,000		(a) Held in India	117,76,03,000	
Total Notes issued		1567,16,95,000	(b) Held outside India	
			Foreign Securities	184,67,56,000	
			TOTAL OF A		302,43,59,000
			B. Rupee Coin		135,14,83,000
			Government of India Rupee Securities		1129,58,53,000
			Internal Bills of Exchange and other commercial paper
TOTAL LIABILITIES		1567,16,95,000	TOTAL ASSETS		1567,16,95,000

Dated the 30th day of July 1958

H. V. R. IENGAR, Governor.

[No. F. 3(2)-F. 1/58.]

A. BAKSI, Jt. Secy.

(Office of the Treasurer of Charitable Endowments for India)

ERRATA

In S.O. 1134 in the Gazette of India, Part II—Sec. 3(ii), dated the 21st June 1958 (pages 988—1001), where the accounts of the Treasurer of Charitable Endowments for India for the year 1957-58 have been published, the following corrections are to be made:—

- Page 990—Case No. 4 & 5—Col. 6—line 3, instead of the word 'of' between the words 'piece' and 'parcel', read 'or'.
- Page 991—Column 1—the figure '7' should read as '6 & 7'.
- Page 992—Case No. 11—Col. 6—line 6, the figure 4888/9 should read as 488 8/9.
- Page 996—Case No. 5—Col. 2—line 1, the 'apostrophe' between the letters 'r' and 's' should be omitted and inserted after the word 's', so as to read "officers'" instead of "officer's."
- Page 997—In the cage containing description of columns, the word 'receipt' above Col. 8, should read as 'receipts'.
- Pages 1000 to 1001—Case No. 2 under Madhya Pradesh, Col. 11, para (c) lines 4 and 5—the word 'not' should be inserted between the word 'but' and 'shown'.
- Line 6—'coma' after the word years should be omitted and an 'apostrophe' should be inserted between the letters 'r' and 's', so as to read year's instead of years.
- Page 1000—Case No. 2 under Bihar, Col. 3, lines 1 and 2, the letter 's' in the word 'Treasurers' should be omitted.

CENTRAL BOARD OF REVENUE

INCOME-TAX

New Delhi, the 30th July 1958

S.O. 1592—In pursuance of sub-section (4) of section 5 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Board of Revenue hereby directs that with effect from the 16th August 1958, the following further amendments shall be made in its notification S.O. 660 No. 35-Income-tax, dated the 22nd April 1958, namely:—

In the Schedule appended to the said Notification, under the sub-head "VI Bombay South", against:—

(a) Poona Range-I:

The existing entry "2. All Income-tax Wards of Ahmednagar District having headquarters at Ahmednagar" shall be deleted, and the following entry shall be substituted, namely:—

"2. North Satara District having headquarters at Satara".

(b) Poona Range-II:

The existing entry "2. All Income-tax Wards of Thana District having headquarters at Thana" shall be deleted, and the following entry shall be substituted, namely:—

"2. All Income-tax Wards of Ahmednagar District having headquarters at Ahmednagar."

(c) Kolhapur Range:

The existing entry "4. North Satara District having headquarters at Satara" shall be deleted.

(d) Sholapur Range:

After the existing entry "2. Income-tax Wards having headquarters at Latur (for Usmanabad District)" the following entry shall be added, namely:—

"3. All Income-tax Wards of Thana District having headquarters at Thana."

Explanatory Note

Note.—The amendments have become necessary on account of a revision of the jurisdiction of the Appellate Assistant Commissioners in the charge of the Commissioner of Income-tax, Bombay South.

(This note does not form a part of the Notification but is intended to be merely clarificatory).

[No. 71 (F. No. 50/47/58-IT).]

New Delhi, the 1st August 1958

S.O. 1593.—In exercise of the powers conferred by sub-section (4) of section 5 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Board of Revenue hereby makes the following amendments to its Notification S.O. 660, dated 22nd April, 1958.

In the schedule appended to the said notification under the sub-head "I—Andhra Pradesh" against

(a) 'A' Range, Hyderabad:

After the existing entry "6 Khammameth" the following entry shall be added, namely:—

"7-Tenali"

(b) 'B' Range, Hyderabad

After the existing entry "7 Warrangal", the following entry shall be added, namely:—

"8-Eluru"

(c) Vijayawada Range:

The existing entry '6-Tenali' shall be deleted.

(d) Visakhapatnam Range:

The existing entry '5 Eluru' shall be deleted.

These amendments shall come into force with effect from 15th August, 1958.

Explanatory Note

Note.—These amendments have become necessary in the interest of administration.

(This note does not form a part of the Notification but is merely clarificatory).

[No. 72 (F. No. 50/42/58-IT).]

B. V. MUNDKUR, Under Secy.

MINISTRY OF COMMERCE AND INDUSTRY

New Delhi, the 29th July 1958

S.O. 1594.—In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government, hereby makes the following further amendment in the Cotton Textiles (Production by Handloom) Control Order, 1956, namely:—

In the said Order—

In sub-clause (1) of clause 4, for the figures and words "30th June, 1958" the figures and words "30th September, 1958" shall be substituted.

[No. F.48(55)Tex(C)/54.]

M. S. SADASIVAN, Under Secy.

TEA CONTROL

New Delhi, the 2nd August, 1958

S.O. 1595—In exercise of the powers conferred by section 4 of the Tea Act, 1953 (20 of 1953), and sub-rule (1) of rule 5 of the Tea Rules, 1954, the Central Government hereby appoints the Chief Commissioner, Tripura Administration, Agartala, as a member of the Tea Board and makes the following further amendment in the notification of the Government of India in the Ministry of Commerce and Industry, No SRO 944, dated the 17th March, 1954, namely:—

In the said notification—

in the category of members representing the Governments of the principal tea growing States, for the entry “4 Shri K. P. Bhargava, ICS, Chief Commissioner, Tripura Administration, Agartala”, the following entry shall be substituted, namely:—

“4 The Chief Commissioner, Tripura Administration, Agartala”

[No 8(4)Plant(A)/57]

P V RAMASWAMY, Under Secy

(Department of Commerce)

New Delhi, the 4th August 1958

S.O. 1596.—In exercise of the powers conferred by sub-section (3) of section 9 of the Khadi and Village Industries Commission Act, 1956 (61 of 1956), the Central Government hereby deposes the Joint Secretary and the Deputy Secretary for the time being dealing with the matters relating to khadi and village industries in the Ministry of Commerce and Industry to attend meetings of the Commission and to take part in the discussions of the Commission

2 The late Ministry of Production notification No SRO 1131, dated the 5th April, 1957, is hereby cancelled.

[No 4(17)/58-KVE]

K T SATARAWALA, Joint Secy

(Cement Section)

ORDER

New Delhi, the 2nd August 1958

S.O. 1597.—/IDRA/18G/23/58.—In exercise of the powers conferred by sub-section (1) of section 25 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby directs that the powers exercisable by it under section 18G of the said Act, shall, in relation to the control of supply, distribution and price of cement in the Union Territory of Tripura, be exercisable also by the Chief Commissioner of Tripura, subject to the conditions that—

- (1) any order proposed to be issued by the Chief Commissioner of Tripura shall receive prior concurrence of the Central Government, and
- (2) no order made by the Chief Commissioner of Tripura in the exercise of the powers so delegated shall have effect in so far as such order is repugnant to any order made by the Central Government under the said section 18G

[No Cem-15(6)/58]

B B NAG, Under Secy.

(Indian Standards Institution)

New Delhi, the 1st August 1958

S.O. 1598.—In pursuance of sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed, have been established during the period 1st July to 31st July 1958.

THE SCHEDULE

Sl. No.	No. and title of the Indian Standard established	No. and title of the Indian Standard or Standards, if any, superseded by the new Indian Standard	Brief Particulars
1	2	3	4
1	IS : 831-1957 Specification for Badminton Racket Frames.	..	This standard covers the requirements for three grades of badminton racket frames. (Price Re. 1.00).
2	IS : 849-1957 Specification for Cold Setting Casein Glue for Wood.	..	This standard lays down the requirements and the methods of test for cold setting casein glue used in the wood industry. (Price Rs. 1.50).
3	IS : 1044-1957 Specification for Turkey Red Oil.	..	This standard prescribes the requirements and the methods of test for sulphated castor oil commonly known as turkey red oil, used in the textile industry for dyeing, bleaching and sizing operations and in the leather industry for tanning. (Price Rs. 1.50).
4	IS : 1084-1957 Specification for Hawser-Laid Manila Rope.	..	This standard prescribes the requirements for three grades of hawser-laid manila rope, 1 to 18 in. in size. (Price Rs. 1.50).
5	IS : 1085-1957 Specification for Shroud-Laid Manila Rope.	..	This standard prescribes the requirements for three grades of shroud-laid manila rope, 1 to 18 in. in size. (Price Rs. 1.50).
6	IS : 1086-1957 Specification for Cable-Laid Manila Rope.	..	This standard prescribes the requirements for three grades of cable laid manila rope, 5 to 18 in. in size. (Price Rs. 1.50).
7	IS : 1166-1957 Specification for Condensed Milk.	..	This standard prescribes the requirements and the methods of test for condensed milk, full cream or skim, sweetened or unsweetened. (Price Rs. 2.00).
8	IS : 1189-1957 Specification for Oil Paste for Paints, Yellow Ochre.	..	This standard prescribes the requirements and the methods of test for the material commercially known as oil paste for paints, yellow ochre. The material is normally used for making ready mixed paint. (Price Re. 1.00).

Copies of these Indian Standards are available for sale with the Indian Standards Institution, "MANAK BHAVAN" 9, Mathura Road, New Delhi-1, and also at its Branch Offices, at (i) 40/40A Cawasji Patel Street, Fort, Bombay-1, (ii) P-11, Mission Row Extension, Calcutta-1 and (iii) 2/21, First Line Beach, Madras-1.

S.O. 1599.—In pursuance of regulation 4 of the Indian Standards Institution (Certification Marks) Regulations, 1955 the Indian Standards Institution hereby notifies that amendments to the Indian Standards given in the Schedule hereto annexed have been issued under the powers conferred by sub-regulation (1) of regulation 3 of the said regulations.

THE SCHEDULE

Sl. No. and title of the No. Indian Standard amended	No. & Date of Gazette Notification in which the establishment of the Indian Standard was notified	No. & date of Amendment	Brief particulars of Amendment	Date of effect of the Amendment
1	2	3	4	5
1 IS : 220-1950 Specification for Fountain Pen Inks, Blue-Black and Red.	S.R.O. 658 dated 26th March, 1955.	No. 2 June 1958.	As the specification for red ink has been covered by IS : 1221-1957 Specification to Eye Based Fountain Pen Inks (Blue, Green, Violet, Black and Red), IS:220-1950 Specification for Fountain Pen Inks, Blue-Black and Red would now cover only blue-black ink. The title of IS : 220-1950 has been amended to excludered ink and all the clauses relating to red ink or references to red ink have been deleted.	11th August 1958.
2 IS : 722 (Parts I & II) 1955 Specification for AC Whole-Current Electricity Meters.	S.R.O. 641 dated 17th March 1956.	No. 1 July, 1958.	<p>1. The words 'whole current' have been deleted from the title and from Part I, clause 1.1, line 2 and inserted before the words 'credit type meters' in line 5 of clause 0.2.</p> <p>2. The words 'presence of moisture' in line 10 in Part I, clause 4.2 have been replaced by the words 'and humidity'.</p> <p>3. The words 'shall have milled edge and' in Part I, clause 4.6, second sentence and the words 'having more than two terminals' in line 1, Part I, clause 8.1 have been deleted.</p>	11th August, 1958.

1	2	3	4	5	6
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4. Part I, item 13 has been rearranged, giving two tests, Insulation Resistance Test and Excess Voltage Test as clauses 13.1 and 13.2 respectively and the text modified at some places.

5. The following substitutions have been made :

(a) '0.250' for '0.25'.

Part II, clause 8.1 (b),

(b) 'variation' for 'vibration' in the heading of clause B-4,

(c) 'rated' for 'marked' in the last line of clause B-4.1,

(d) 'Name-plate and carrying handle' for 'location of name-plate' in the title of Appendix C.

6. A new clause C-2 has been added in Appendix C making provision for a suitable carrying handle.

Copies of these amendment slips are available, free of cost, with the Indian Standards Institution, "MANAK BHAVAN" 9, Mathura Road, New Delhi-1, and also at its Branch Offices, at (i) 40/40A Cawasji Patel Street, Fort, Bombay-1, (ii) P-11, Mission Row Extension, Calcutta-1 and (iii) 2/21, First Line Beach, Madras-1.

[No. MDC/11(9).]

D. V. KARMARKAR,

Deputy Director (Marks).

ERRATA

In the Ministry of Commerce and Industry (Indian Standards Institution) Notification No. MDC/12 (154) dated 11 July 1958 published in the Gazette of India, Part II—Section 3—Sub-section (ii) dated the 19th July 1958 as S.O. 1401 at page 1223 please make the following alterations:

(1) Please read the period of Validity of Licence No. CM/L-93 as "16-7-1958 to 15-7-1959" in place of "16-7-1958 to 15-7-195".

(2) Please close the parenthesis after the word 'Revised' in the last column.

In the Ministry of Commerce and Industry (Indian Standards Institution) Notification No. MDC/12(199) dated 25 June 1958 published in the Gazette of India Part II—Section 3—Sub-section (ii) dated the 5th July 1958 as S.O. 1291 at page 1137 please make the following alterations:

(1) In the schedule please add the words "Sl. No." in the first column of the heading.

(2) Please read the date of the licence under the column "Licence No. and Date" as "20-6-1958" for "20-5-1958".

MINISTRY OF FOOD AND AGRICULTURE

(Department of Agriculture)

CORRIGENDUM

New Delhi, the 31st July 1958

S.O. 1600.—In S.O. 495, dated 2nd April, 1958 of the Ministry of Food and Agriculture (Department of Agriculture) published in the Gazette of India, Part II—Section 3—Sub-section (ii), dated 12th April, 1958 on p. 319, the following amendments may be made:—

In item (2), the figures “39.41” should be corrected to read “39—41”;

In item (4), the figures “25.26” should be corrected to read “25-26”.

[No. F.25-2/57-AM.]

V. S. NIGAM, Under Secy.

(Department of Agriculture)

(Indian Council of Agricultural Research)

New Delhi, the 19th July 1958

S.O. 1601.—In pursuance of the provisions of Section 4(c) of the Indian Coconut Committee Act, 1944 (10 of 1944), the Bombay Chamber of Commerce, Bombay has nominated Shri A. B. Argo of the Hindustan Lever Ltd., Ballard Estate, Bombay as a member of the Indian Central Coconut Committee for a term upto the 31st March 1959 *vice* Shri C. E. Bingham retired

[No. 8-4/58-Com.I.]

R. D. THAWANI, Under Secy.

MINISTRY OF HEALTH

New Delhi, the 29th July 1958

S.O. 1602.—In pursuance of clause (d) of section 3 of the Dentists Act, 1948 (16 of 1948), Dr. R. G. Krishnan, F.R.C.S., Dean, Madras Medical College and Government General Hospital, Madras, was elected on the 22nd April, 1958, as a member of the Dental Council of India by the members of the Senate of the University of Madras.

[No. F.6-21/58-M.I.]

KRISHNA BIHARI, Under Secy.

MINISTRY OF TRANSPORT AND COMMUNICATIONS

(Department of Transport)

(Transport Wing)

New Delhi, the 2nd August 1958

S.O. 1603.—The following draft of the rules for registration of motor Vehicles of Diplomatic Officers and Consular Officers, which the Central Government proposes to make in exercise of the powers conferred by sub-section (3) of section 24A of the Motor Vehicles Act, 1939 [4 of 1939] is published, as required by sub-section (1) of section 133 of the said Act, for the information of all persons likely to be effected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 30th September, 1958.

Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

DRAFT RULES

1. Short title and commencement.—(1) These rules may be called the Motor Vehicles (Registration by Diplomatic and Consular Officers) Rules, 1958.

(2) They shall come into force at once.

2. Definitions.—In these rules, unless the context otherwise requires—

- (a) "the Act" means the Motor Vehicles Act, 1939 [4 of 1939];
- (b) "Form" means a form appended to these rules;
- (c) "prescribed" means prescribed by rules made by the State Government under the Act;
- (d) "registering authority concerned" means the authority empowered to register motor vehicles under Chapter III of the Act, exercising jurisdiction in respect of the place of residence of a Diplomatic or Consular Officer where his vehicle is normally kept;
- (e) words and expressions used in the Act and not defined in these rules shall have the meanings respectively assigned to them in the Act.

3. Registration how to be made.—(1) An application for registration of a motor vehicle under section 24A of the Act by or on behalf of any Diplomatic or Consular Officer shall be made in quadruplicate in Form 'A' and shall contain the information required by that form.

Explanation.—For the purposes of these rules, a motor vehicle owned by a Diplomatic Mission or Consular Office shall be deemed to be owned by the Head of the Mission or the Consular Office, as the case may be.

(2) Every application under sub-rule (1) shall be addressed—

- (a) in the case of a Diplomatic Officer or a Consular Officer who has his residence in Delhi where the vehicle is normally kept, to the Secretary to the Government of India in the Ministry of External Affairs (Protocol Division);
- (b) in the case of a Diplomatic Officer or a Consular Officer who has his residence at any other place, to the Chief Secretary of the State Government.

(3) The Ministry of External Affairs, in the case of a Diplomatic Officer or a Consular Officer residing in Delhi, and the Chief Secretary of the State Government in the case of any other Diplomatic Officer or Consular Officer, as the case may be, shall forward two copies of the application to the registering authority concerned with a statement certifying the status of the person applying for registration and indicating whether or not he is entitled to exemption from payment of registration fees and shall return one copy of the application with the above statement to that person. The Ministry of External Affairs or the Chief Secretary of the State Government as the case may be may retain one copy of the application for record.

(4) The registering authority concerned shall, upon presentation of the application to it, duly endorsed under the provisions of sub-rule (3), by or on behalf of a Diplomatic Officer or a Consular Officer register the vehicle in the name of that officer:

Provided that the application by or on behalf of a Consular Officer who is not entitled to exemption from payment of registration fees shall also be accompanied by the prescribed fee.

(5) The registering authority concerned shall issue to the owner of a motor vehicle registered by it under sub-rule (4), a certificate of registration in Form 'B' and shall enter in a record to be kept by it particulars of such

certificate. The certificate of registration so issued shall be sent to the person applying for registration by registered post acknowledgment due, or be delivered by hand personally to that person at the address given in the application for registration, or at his last known address, as the case may be.

(6) The registering authority concerned shall assign to the vehicle for display thereon in the manner specified in rule 4 a distinguishing mark (in these rules referred to as the registration mark) consisting of the letters 'CD' in the case of a motor vehicle belonging to a Diplomatic Officer and the letters 'CC' in the case of a motor vehicle belonging to a Consular Officer, followed by a number containing not more than four figures.

4. Exhibition of registration marks.—(1) The registration mark to be assigned under sub-rule (6) of rule 3 shall be clearly and legibly exhibited on a plane surface of a plate—

(i) with deep blue background, the registration mark and the number being in white, in the case of a motor vehicle of a Diplomatic Officer;

(ii) with yellow background, the registration mark and the number being in black, in the case of a motor vehicle of a Consular Officer;

both at the front and rear, facing to the front or rear, as the case may be, and in the manner hereinafter specified.

(2) The registration mark shall be in English letters and numerals and

(i) save in the case of a motor cycle or an invalid carriage, the letters shall be not less than $2\frac{1}{2}$ inches high and $\frac{5}{8}$ th inch thick at any part, the numerals shall be not less than $3\frac{1}{4}$ inches high and $\frac{1}{2}$ inch thick at any part, and there shall be a space between any letter and any numeral and between any letter or any numeral and the edge of the plane surface of not less than $\frac{1}{4}$ inch and a space between any two letters and between any two numerals of not less than $\frac{3}{8}$ th inch; and

(ii) in the case of a motor cycle or an invalid carriage, of dimensions not less than $\frac{2}{3}$ rd of those specified in clause (i).

(3) The plane surfaces aforesaid shall not be inclined from the vertical by more than 30 degrees. The letters and numerals shall be exhibited as follows, that is to say—

(i) in the case of a transport vehicle other than a motor cab, both registration marks shall exhibit the letters and numerals in two separate horizontal lines, the letters above and the numerals below; and

(ii) in all other cases, the registration marks may exhibit the letters and numerals either in two horizontal lines as aforesaid or in one horizontal line.

(4) Notwithstanding anything contained in sub-rule (1), the registration mark exhibited at the front of a motor cycle or an invalid carriage may be displayed on a plate in line with the axis of the vehicle and shall, in such case, be displayed on both sides of the plate.

5. Acquisition of number plate.—The plate referred to in rule 4 with the registration mark assigned to the vehicle exhibited thereon shall be obtained on payment from the registering authority concerned by the owner of the vehicle and only a plate so obtained shall be used.

6. Production of vehicle at time of registration.—The registering authority concerned may, before proceeding to register a motor vehicle under these rules, require the person applying for registration to produce the vehicle before it or such other authority as the State Government may by order appoint in this behalf in order that the registering authority may satisfy itself that the particulars contained in the application are true and that the vehicle complies with the requirements of Chapter V of the Act and of the rules made thereunder.

7. Assignment of fresh registration mark on removal of vehicle to another State.—(1) When a motor vehicle registered in accordance with these rules in one State has been kept in another State for a period exceeding twelve months, the owner of the vehicle shall apply for the assignment of a new registration mark.

(2) Every application under sub-rule (1) shall be made in quadruplicate in Form 'C' and shall be addressed—

- (a) in the case of a Diplomatic Officer or a Consular Officer who has his residence in Delhi, to the Secretary to the Government of India in the Ministry of External Affairs (Protocol Division),
- (b) in the case of any other Diplomatic or Consular Officer, to the Chief Secretary of the State Government concerned

(3) The Ministry of External Affairs or the Chief Secretary of the State Government concerned, as the case may be, shall forward two copies of the application to the registering authority, within whose jurisdiction the vehicle then is, with a statement certifying whether the person making the application continues to be a Diplomatic Officer or a Consular Officer, and shall return one copy of the application to that person. The Ministry of External Affairs or the Chief Secretary to the State Government concerned as the case may be, may retain one copy of the application for record

(4) The registering authority within whose jurisdiction the vehicle then is, shall, upon presentation to it of the application, duly endorsed under sub-rule (3), and the original certificate of registration, by or on behalf of a Diplomatic or a Consular Officer, assign the vehicle a fresh registration mark in accordance with the provisions of sub-rule (6) of rule 3 and issue on payment and on surrender of the old number plate, a new number plate with the fresh registration mark exhibited thereon, to be carried thenceforth on the vehicle, and shall enter the mark upon the certificate of registration before returning it to the applicant. The registering authority shall also, in communication with the registering authority concerned which had previously registered the vehicle, arrange for the transfer of the registration of the vehicle from the records of that registering authority to its own records

8 Re-registration of existing vehicles of Diplomatic Officers and Consular Officers.—Within three months from the commencement of these rules every motor vehicle of a Diplomatic Officer or a Consular Officer, which has been registered before such commencement under section 24 of the Act, shall be re-registered and shall be assigned registration marks in accordance with these rules. The registering authority concerned shall also issue to the owner of such vehicle a certificate of registration under sub-rule (5) of rule 3

9 Sale transfer or disposal of motor vehicles.—(1) Where a motor vehicle registered in accordance with these rules is sold, transferred or otherwise disposed of, the transferor shall, within fourteen days of the sale, transfer or disposal, report the fact of the sale, transfer or disposal, as the case may be, to the registering authority within whose jurisdiction the transfer is effected and shall simultaneously send copies of the said report to—

- (a) the transferee,
- (b) the Government of India in the Ministry of External Affairs (Protocol Division) or the Chief Secretary of the State Government concerned as the case may be,
- (c) the Collector of Customs of the port of importation of the vehicle, and where it is not possible to locate the port of importation, to the Collector of Central Excise or Customs nearest to the head-quarters of the transferor,
- (d) the original registering authority in whose records the registration of the vehicle is recorded, if the sale, transfer or disposal is effected in the jurisdiction of another registering authority;

and shall also surrender the number plate in respect of the vehicle to the registering authority in whose records the registration of the vehicle is recorded, when the sale, transfer or disposal of the vehicle is to a person other than a Diplomatic Officer or a Consular Officer

(2) Where the transferee is a Diplomatic Officer or a Consular Officer, an application by or on his behalf for registration of the vehicle shall be made under section 24A of the Act and thereupon the provisions of rules 3, 4, 5, and 6 shall apply.

10 Suspension and cancellation of Registration.—If under the provisions of section 33 or section 34 of the Act the registration of a motor vehicle made in accordance with these rules is suspended or cancelled, then, a copy of the order of

suspension or cancellation shall be sent to the Government of India in the Ministry of External Affairs (Protocol Division) or the Chief Secretary of the State Government concerned, as the case may be, in addition to each authority or person to whom a copy has to be sent under those sections.

FORM A

Form of application for the Registration of ... a Motor Vehicle by or on behalf of a Diplomatic/Consular Officer

[See rule 3(1)]

1. Full name, designation and address of the Diplomatic Officer/Consular Officer Full name, address and station of the Diplomatic Mission/Consular Office or post.

2. Age of the person to be registered as registered owner.....

3. Name and address of the person from whom the vehicle was purchased/Name of the port through which the vehicle was imported/Name of the person or company from whose bonded stocks the vehicle was purchased and the name of the port.....

4. Country from which imported.....

5. Class of Vehicle.....

6. Type of body.....

7. Maker's name.....

8. Year of manufacture.....

9. Number of cylinders.....

10. Horse power.....

11. Maker's classification or, if not known, wheel-base.....

12. Chassis number.....

13. Engine number.....

14. Seating capacity (including driver).....

15. Unladen weight.....

16. Particulars of previous registration and registered number (if any).....

17. I hereby declare that this vehicle has not been registered in any other State in India.

Additional particulars to be completed only in the case of transport vehicles other than motor cars.

18. Colour or colours of body, wings and front end.....

Additional particulars to be completed only in the cases of transport vehicles other than motor cabs.

19. Number, description and size of tyres—

(a) front axle.

(b) rear axle.....

(c) any other axle.....

20. Maximum laden weightlbs.

21. Maximum axle weight (To be furnished in the case of heavy motor vehicles only).

(a) front axle.....lbs.

(b) rear axle.....lbs.

(c) any other axle.....lbs.

The above particulars are to be filled in for a rigid frame motor vehicle of two or more axles.

Signature of applicant.

For use in the Ministry of External Affairs (Protocol Division) or in the office of the Chief Secretary of the State Government concerned.

Certified that (Name and designation) is a Diplomatic Officer/Consular Officer recognised by the Government of India and that he/she is/is not entitled to exemption from payment of registration fees.

Date

Signature of the Officer.....

Place

Designation.....

FORM B

Form of Certificate of Registration

[See Rule 3(5)]

Registered number.....

Brief Description of vehicle,.....

(e.g. Fiat 1100 or Hindustan Landmaster car, Willys jeeps, Dodge/Desoto/Fargo petrol/diesel truck, Leyland 36 seater diesel bus, trailer etc.).

Full name, designation and address of the Diplomatic Officer/Consular Officer/
Full name, address and station of the Diplomatic Mission/Consular Office or
post.....

Signature of registering authority.

Transferred to

Signature of registering authority.

Transferred to

Signature of registering authority.

Detailed Description.

1. Class of vehicle.....

2. Maker's name.....

3. Type of body.....

4. Year of manufacture.....

5. Number of cylinders.....

6. Chassis number.....

7. Engine number.....

8. Horse power.....

9. Maker's classification, or, if not known, wheel base.....

10. Seating capacity (including driver).....

11. Unladen weight.....

Additional particulars in the case of all transport vehicles other than motor cars.

12. Colour or colours of body, wings and front end.....

Additional particulars in the case of all transport vehicles other than motor cabs.

13. Registered laden weight.....

14. Number, description and size of tyres

(a) front axle.....

(b) rear axle.....

(c) any other axle.....

15. Registered axle weight (in the case of heavy motor vehicles only):—

(a) front axle.....lbs.

(b) rear axle.....lbs.

(c) any other axle.....lbs.

Dated.....19

Signature of registering authority.

FORM C

Intimation of change of State of residence and application for assignment of fresh registration mark

[See rule 7(2)]

To

The Registering Authority.....

I.....

(Name and designation)

of thebeing the, owner of motor vehicle No.....
registered at..... under section 24-A of the Motor Vehicles Act, 1939,
hereby declare that I have, since the.....day of.....19
kept the said motor vehicle in the State of and hereby apply
for the assignment to the motor vehicle of a fresh registration mark.

I enclose the certificate of registration and the certificate of fitness* of the
vehicle.

Date.....19 .

Signature (or thumb impression) of the owner.

*Strike out the words "and the certificate of fitness" if inapplicable.

For use in the Ministry of External Affairs (Protocol Division) or in the
Office of the Chief Secretary of the State Government concerned.

Certified that.....

(Name and designation)

continues to hold the status of a Diplomatic Officer/Consular Officer. He/She is
at present stationed at.....

Place.....

Date.....

Signature of the Officer.....

Designation.....

[No. 27-T(9)/53.]

A. S. BHATNAGAR, Dy. Secy.

(Deptt. of Transport)

(Transport Wing)

PORTS

New Delhi, the 26th July 1958

S.O. 1604.—In pursuance of sub-section (3) of section 6 of the Bombay Port
Trust Act, 1879 (Bombay Act 6 of 1879), the Central Government hereby publishes
the following return received from the Secretary, Indian National Steamship
Owner's Association Bombay, namely:—

Return showing the name of the persons elected by the Indian National Steamship
Owners' Association, Bombay in accordance with the provisions of section
13(2) of the Bombay Port Trust Act, 1879 to be a member of the Board of
Trustees of the Port of Bombay in the temporary absence on leave of Shri
H. M. Desai.

Date of Election

Name of the person elected

15th July, 1958.

Shri M. J. Buch

[No. 8C-PG(70)/58.]

New Delhi, the 30th July 1958

S.O. 1605.—In exercise of the powers conferred by Sub-Section (3) of Section 3 of the Indian Ports Act 1908 (XV of 1908) the Central Government hereby authorises Shri C. A. Ramaseshan, Pilot, Kandla Port, to pilot in and out of the port of Kandla, move in the harbour and to berth and unberth ships up to 5000 tons gross (excepting tankers and vessels loaded with explosives) during day light only.

[No. 2A-PG(34)/58]

S.O. 1606.—In exercise of the powers conferred by Sub-Section (3) of Section 3 of the Indian Ports Act 1908 (XV of 1908), the Central Government is pleased to authorise Shri S. K. Vaswani, Pilot to pilot ships of unrestricted tonnage and class during daylight hours and ships of upto 5,000 tons gross during hours of darkness in and out of the Port of Kandla.

[No. 2A-PG(32)/58.]

New Delhi, the 31st July 1958

S.O. 1607.—In exercise of the powers conferred by section 34 and 35 of the Indian Ports Act, 1908 (15 of 1908), the Central Government hereby directs that, in respect of sailing vessels fitted with auxiliary engines entering the port of Cochin,—

- (1) the port dues shall be reduced to the rate leviable on ships; and
- (2) the pilotage fees shall be charged at the rate applicable to ships.

[No. 6-PH(47)/56-PG.]

MISS I. INDIRA, Under Secy.

(Department of Communications)

(P. & T.)

New Delhi, the 30th July 1958

S.O. 1608.—In exercise of the powers conferred by section 21 of the Indian Post Office Act, 1898 (6 of 1898), the Central Government hereby makes the following further amendment in the Indian Post Office Rules, 1933, namely:—

In the proviso to sub-rule (1) of rule 44 of the said Rules, for the figures, letters and words "30th June 1958", the figures, letters and words "30th June 1960" shall be substituted.

2. The amendment hereby made shall be deemed to have come into force on and from the 1st July, 1958.

[No. C.48-3/56.]

K. K. SARAN, Dy. Secy.

MINISTRY OF REHABILITATION

New Delhi, the 29th July 1958

S.O. 1609.—Whereas the Central Government is of opinion that it is necessary to acquire the evacuee properties in the Territory of Delhi specified in the Schedule hereto annexed for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons including payment of compensation to such persons;

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, (44 of 1954), it is notified that the Central Government has decided to acquire, and hereby acquires, the evacuee properties specified in the said Schedule.

THE SCHEDULE

Sl. No.	Particulars of Evacuee Property	Name of the town and locality in which the evacuee property is situated	Name of the Evacuee
1	2	3	4
1	I/21/31-New	Gali Rama	Abdul Khaliq son of Ahmed Khan
2	I/172/314	Gali Nan-Pau	Doctor M. H. Sajjad
3	I/173/315	Gali Nan-Pau	Doctor M. H. Sajjad
4	I/180/324-25	Gali Nan-Pau	Doctor M. H. Sajjad
5	I/181-182/326	Gali Nan-Pau	Doctor M. H. Sajjad
6	I/185/331	Gali Masjid Khajun	Mohammad Main Agha Mohammad Ghulam.
7	I/242/423	Gali Rajan Kalan	Heirs of Khurshid Begum.
8	I/221/369-72	Gali Rajan Kalan	Nawabgul Ahmed
9	I/460/.07	Chabi Ganj	Mohammad Usman
10	I/110/231	Gali Puth Wali	Rahim Bux
11	I/201/344	Gali Rajan Kalan	Mirza Mohd Usman
12	I/360/607	Gali Qazal Bosan	Abdul Aziz
13	I/363/618-20	Hamilton Road	Kafat Ullah
14	I/363-A/621-28	Hamilton Road	Mohd Yusuf
15	I/95-A/212-New	Gali Bagh Bakhri	Mohd Ismail
16	I/206/349	Gali Rajan Kalan	Mirza Mohd Usman
17	I/208/353-54	Gali Rajan Kalan	Musammam Shazadi Begum
18	I/226-26A	Gali Rajan Kalan	Nizamuddin
19	I/347A/580	Gali Qazal Bashan	Musammam Niamat Bi
20	I/378/661	Gali Nal Baddan	Mohd Zaffar
21	I/724/1383-89	Kashmeri Gate	Nawab Begum Mst. Inayat Begum
22	II/74/189	Fatch Puri	Shri Abdul Majid
23	III/707A/1324	Kucha Maulvi Qasim, Gali Amir Bun.	Musmat Haziz-ul-Nisa
24	III/708/1325	Kucha Maulvi Qasim, Gali Amir Bun	Shri Abdul Sattar.
25	III/726E/1393-96	Kucha Maulvi Qasim, Gali Amir Bun.	Musammam Zubeda Khatoon
26	III/1281/2711	Gali Pata Wali Naya Bans	Shri Kamaluddin
27	III/1934-35/4122-24	Naya Bans	Haji Ashan-ullah
28	III/471 & 472 B/953-54 & 963-64	Tota Mida	Mussammam Kulsum Bi
29	III/1141/2495	Chauri Wara.	Shri Mohd Umar
30	III/1155/2514	Chauri Wara.	Musammam Sujra Jan
31	III/1518/3159	Gali Sui Wali	Mussammam Khadija Bi
32	III/1876-A/3897	Kucha Matar Khan	Shri Sirajuddin
33	III/1194/2563-66	Kucha Maulvi Qasim	Shri Mohd Ismail
34	IV/414-A/1171-73	Kucha Chah Rehat	Shri Nisar Ahmed.
35	IV/575/78/1472-75	Dauba Kalan	Shri Khoja Abdul Majid
36	V/213/6704	Katra Bhangi Chandni Chowk	Shri Nasiruddin
37	VI/341/827-31	Bazar Ballimaran	Mohd Araf
38	VI/422 A, 28/997, 236	Havali Hissamuddin	Mohammed Naqi
39	VI/539/1212	Havali Hissamuddin	Abdul Razak
40	VI/550C/1227	Havali Hissamuddin	Abdul Razak
41	VI/550D/1230	Havali Hissamuddin	Mohammed Shafiq
42	VI/578/1268-70	Havali Hissamuddin	Kulsim Bi
43	VI/580/1272	Havali Hissamuddin	Kulsim Bi
44	VI/585/1277-78	Havali Hissamuddin	Fazal Ullah
45	VI/587A/1281	Havali Hissamuddin	Sughar Jan
46	VI/630/1394	Ballimaran	Mohd Ashraf, Abdul Samad
47	VI/631/1395	Ballimaran	Mohd Ashraf, Abdul Samad

I	2	3	4
48	VI/644-45/1420-23/1 1442-43	Gali Qasim Jan	Shafiq-ul-Nisa
49	VI/6781/1490-92	Gali Qamis Jan	Sayed Ahmed Hussain Salch Khatoon
50	VI/792-97/1706-8	Madrasa Mir Jumla	Mohammed Ahmed
51	VI/802-1/1121	Haveli Hissamuddin	Mohdul Nisa
52	VI/865-A/1808	Gali Mir Jumla	Mohammed Sadiq
53	VI/880/1827	Lal Darwaza	Mohammed Zuman
54	VI/881/1828	Lal Darwaza	Mohammed Zuman
55	VI/1041/2114	Ahata Kalay Sahib	Salma Begum
56	VI/1062/2140	Ahata Kalay Sahib	Abdul Rashid
57	VI/1100/7/2238	Naya Mohalla	Fazal Elahi
58	VI/1100/8/2239	Naya Mohalla	Mohammed Shafi
59	VI/1100/13/2246-47	Ahata Kalay Sahib	Sadiq Nisa
60	VI/1100/17/2267-69	Ahata Kalay Sahib	Mohammed Rafi
61	VI/1241/2561	Bara Devi Sher Afgan	Mohammed Jan
62	VI/1466A/2891-96	Sirki Walan	Khuda Bux
63	VI/1473/2907	Sirki Walan	Aferoz Khanam
64	VI/1477/2908	Sirki Walan	Aferoz Khanam
65	VI/1499/2950-53	Sirki Walan	Amiq Zaman Begum
66	VI/2207/4425-32	Nai Sarak	Sugra Jan
67	VI/2534/5091-93	Kucha Rehman	Hussina Begum
68	VI/2599/5215	Kucha Rehman	Maryam Bi
69	VI/2716/5422	Kucha Rehman	Mohd Amin
70	VI/2732/5569-71	Kucha Rehman	Mohd Usman
71	VI/2823/5797-98	Kucha Rehman	Mohammed Din
72	VI/2915/5962	Gali Babu Khan	Sadiq Mirza
73	VI/2916/5963-64	Gali Babu Khan	Shafuddin
74	VI/2925/5984-87	Pallimaran	Ahmedul-Nisa
75	VI/2954/6044-51	Naya Bans	Fazal-ul Rehman
76	VI/2951A/6052-62	Naya Bans	Fazal-ul-Rehman
77	VII/2956/6066-67	Gali Patashan	Zeeda Bi
78	VII/2957, 2959/6068	Gali Patashan	Mohd Ishtaq
79	VI/3053/6246	Kucha Nawab Mirza	Jahan Sultan
80	VI/3057/6250-51	Kucha Nawab Mirza	Zenat Khanam
81	VI/3069/6261	Kucha Nawab Mirza	Sardar Jahan Begum
82	VI/3142/6679	Khari Baoli	Zubeda Begum
83	VI/3163/6679	Khari Baoli	Saida Khatom
84	VII/622-23/1374-79	Ballimaran	Hussan Jehan & Farhat Jehan, daughter of Abdul Majid.
85	VI/2630/5287	Kucha Rehman	Ijaz Hussain, Imtiaz Hussain, Anwar Jehan.
86	VI/2643/5301	Kucha Rehman	Ijaz Hussain, Imtiaz Hussain, Anwar Jehan
87	VI/2642/5307	Kucha Rehman	Aziz Hussain, Imtiaz Hussain, Anwar Jehan
88	VII/648/612-13	Behind G.B. Road	Abdul Latif
89	VII/654/622-25	Gali Masjid Fakharulla	Abdul Wahid
90	VII/657/629-32	Beg Gali Masjid Fakharulla	Kanaz Sabir Begum
91	VII/658/633-42	Beg Gali Masjid Fakharulla	Mohd Sultan
92	VII/659/643-48 & 674-75	Behind G.B. Road	Fakharaul Nissa
93	VII/745/1/739	Phatak Dhobian Khana	Mohd Yamin
94	VII/745/6/744-47	Phatak Dhobian Frash Khana	Musamat Faraq Sultana
94-A	VII/749A, 749/1, 770-72.	Frash Khana Phatak Dhobian	Nawab Sultan Mirza
95	VII/774/823	Katra Hiddon	Mohd Ahmed
96	VII/775/825	Katra Hiddon	Karimuddin
97	VII/830-31/913-14	Gali Chah Shirin	Azimuddin and Habib Khan
98	VII/849/932	Gali Chah Shirin	Sultan Bi
99	VII/875-81/967-76	Farashkhana	Sardar Begum
100	VII/947/1047	Gali Rajan	Zubeda Khatoon
101	VII/2069/3401-2	Gali Maulvi Ibrahim	Mohd Mohd Wazir

I	2	3	4
102	VII/2409 AB/3746-48	Mohalla Shan Ganj	Ali Beg
103	VII/1387/2107	Madarsa Fradat Mohd Khan	Firozi Khanam
104	VII/1387-A/2108	Madarsa Fradat Mohd Khan	Fiazuddin Ahmed
105	VII/1400, 2123	Madarsa Fradat Mohd Khan	Fakhatullah Khan
106	VII/1410-10A/2164-69	Basti Rajan Rodgaran	Fatima Bi
107	VII/1433/2276	Phatak Ha Jan Bi	Abdul Aziz
108	VII/1817A/2967	Gali Rai Wali Shah	Mohd Azeem Khan
109	VII/1969/3219-23	Kucha Pandit	Khatija Bi
110	VII/1970/3224-26	Kucha Pandit	Khatija Bi
111	VII/1971-74/3228-33	Kucha Pandit	Wazir Khan
112	VII/1983ABC & 1984-85/3248-59	Gali Farhatullah Khan	Mushtaq Ahmed Mohd Jameeth
113	VII/2003-4/3291-92	Gali Farhatullah Khan	Hakim Azhar Ahmed
114	VII/2070/3403	Gali Maulvi Mohd Ibrahim	Shafigul Nissa Begum
115	VII/2160/3553-54	K. Babar Beg	Mohd Yonnas Bari
116	VII/2208/3623-25	Katra Dina Beg	Sayed Ahmed
117	VII/2311-12/4231-32	Gali Qutobuddin	Nauneh
118	VII/2332-35/4250-55	Gali Qutobuddin	Fazalul Rehman
119	VII/2365(part)/3902	Gali Shahtara	Mohd Ashjaq
120	VII/2365(part)/3667-71	Gali Shahtara	Mohd Ashjaq
121	VII/2418/3766	Gali Masjid Wall	Amenuddin
122	VII/2475 & 2478/3900-12	Gali Gandhi	Mumtaz Hassan
123	VII/2478A/3913-14	Behind G.B. Road	Nehmasdikhanam
124	VII/2586-87/4342-45	Kucha Pandit	Anwarul Rehman
125	VII/2617-A part/4409-19	Mohalla Shah Ganj	Raisul Rehman & Zakarul Rehman
126	VII/2662/4474	Lambi Gali	Ahmedul Nissa
127	VII/2687-89/4512	Gali Ikramullah	Amina Begum
128	VII/443/204	Gali Kinari Wali	Manzur Assah and Ghafoorah
129	VII/Plot 75-76	G.B. Road	Mohd Aziz
130	VIII/135A/247	Bazar Ajmeri Gate	Qamusuddin, Faqiruddin
131	VIII/149-50/263	Phatak Karora	Munna
132	VIII/156-A-B/273-74	Phatak Karora	Abdul Rashid
133	VIII/205/317	Katra Faiz Bux	Abdul Ghafar, Mohd Taqi
134	VIII/480-80A/794-96	Gali Kunda Wali	Syed Ali
135	VIII/735/1173	Gali Dhobtian	Niazuddin
136	VIII/1475/2280	Akab Kalan Masjid	Aqil Hamid
137	VIII/1597/2478	Akab Kalan Masjid	Kulsam Bi
138	VIII/1622/2518	Akab Kalan Masjid	Ramzan Bux
139	VIII/1634A/2535	Gali Lajpat Rai	Qadir Bux
140	VIII/1890-91/2936	Kalan Masjid	Mohammad Hussain, Mohammed Yakub
141	VIII/1894/2939	Kalan Masjid	Naziruddin
142	VIII/1895A/2941	Kalan Masjid	Hussam-uddin
143	VIII/1938/2985	Kalan Masjid	Mohd Din
144	VIII/1956/3008	Kalan Masjid	Abdul Hakim
145	VIII/1960/3012	Kalan Masjid	Abdul Kareem
146	VIII/1983/3048	Kalan Masjid	Salcem Beg
147	VIII/1999/3072	Kalan Masjid	Sher Beg
148	VIII/2077-A/3228	Phatak Talian	Mohd Rafiq Abdul Ghafoor.
149	XIII/783/669	Telewara Delhi	Begum Kufait-ul-Nisa
150	XIII/988-90/899-904	Shish Mahal, Delhi	Abdul Aziz Mohd Yasin
151	XIII/1308/1290-91	Fiazay Ganj, Delhi	Mohd Yousaf
152	XIII/4498/3993-94	Paharj Dhiraj, Delhi	Mist, Amir Khanam, wife of Abdul Rezak
153	XIII/4784-86/4234-37	Pahari Dhiraj, Delhi	Mohd Awaz Ali Khan son of Siraj ud din.
154	XIII/6741-42/6214	Pakki Gali, Delhi	Mohd Ismail
155	XIII/7876-77/1706 AB	Bagh Beriwalla, Delhi	Siraj Uddin
156	XIII/3662-70/3289-96	Bara Hindu Rao, Delhi	Eazal Jamil
157	Shahdara V/243-44/264	Shahdara	Hakim Sayeed, Mohd, Mian, Hamid, Mian, Wahced Mian, Sultan Jehan Begum.

I	2	3	4
158	XIII/1285-86/1256-61/1-4	Fiayaz Ganj, Delhi	H. Mohd. Yousuf & Rashid Khatoon
159	III/472 & 473A/ 955 and 960-62	Tota Mida	Shri Mohd Ayub
160	III/1035-36/2260-62	Gali Hinga Beg	Mussamat Hamida Khatoo

No. F.I (1218)-58/Comp.III/Prop.]

I. N. CHIB

Deputy Chief Settlement Commissioner & Dy. Secy.

(Office of the Chief Settlement Commissioner)

New Delhi, the 30th July 1958

S.O. 1610.—In exercise of the powers conferred by Clause (a) of Sub-Section (2) of Section 16 of the Displaced Persons (Compensation & Rehabilitation) Act No. 44 of 1954, the Central Government hereby appoints Shri C. L. Garg, for the time being holding the post of Assistant Custodian, Muzaffarnagar, Uttar Pradesh, under the Administration of Evacuee Property Act, 1950 (XXXI of 1950), as Managing Officer, for the Custody, management and disposal of compensation pool by virtue of the Notification of the Government of India No. F.10(27)-SI/55, dated 12th July, 1955.

[No. III(21)ADMN(PROP)/58.]

M. L. PURI,

Settlement Commissioner (Admn.) *Ex-Officio* Under Secy.

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 30th July 1958

S.O. 1611.—Whereas by Resolution No. WB-6(5), dated the 2nd April, 1958 of the Government of India in the Ministry of Labour and Employment a Central Wage Board for the Cement Industry has been set up to inquire into a definite matter of public importance, namely, to work out a wage structure based on the principles of fair wages as set forth in the Report of the Committee on Fair Wages and the principles that should govern the grant of bonus to workers in the Cement Industry;

And whereas the Central Government is of opinion that, having regard to the nature of the inquiry to be made and other circumstances of the case, all the provisions of the Commissions of Inquiry Act, 1952 (60 of 1952), should be made applicable to the Central Wage Board for the Cement Industry;

Now, therefore, in exercise of the powers conferred by section 11 and sub-section (1) of section 5 of the said Act, the Central Government hereby directs that all the provisions of the said Act including those contained in sections 4 and 5 shall apply to the Central Wage Board aforesaid.

[No. WB-6(30).]

V. R. ANTANI, Dy. Secy.

New Delhi, the 30th July 1958

S.O. 1612.—Whereas the Central Government is of the opinion that an industrial dispute exists between the employers in relation to Assam Railway and Trading Company Ltd., P.O. Margherita, and their workmen employed in the Tipong Colliery in respect of the matters specified in the schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of the sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

THE SCHEDULE

To what relief are the workers of Tipong Colliery entitled for the withdrawal of free travel concession in respect of journey from Tipong Wharf to Margherita and back every Sunday by Special Bazar Train?

[No. LR II/1(73)58.]

New Delhi, the 2nd August 1958

S.O. 1613.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Central Kirkend Colliery and their workmen.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BHANBAD.

REFERENCE No. 15 OF 1958.

PARTIES:

Employers in relation to the Central Kirkend Colliery

AND

Their workmen.

Dated the 17th July 1958.

PRESENT:

Shri Salim M. Merchant, B.A.L.L.B., Chairman.

APPEARANCES:

Shri S. C. Jain, Director, Central Kirkend Collieries, *for the management.*

Shri Prasanta Burman, Treasurer, Bihar Colliery Mazdoor Sabha, *for the workmen.*

State: Bihar.

Industry: Coal.

AWARD

The Government of India, Ministry of Labour and Employment, by Order No. LR. II. 2(11)/58 dated 22nd March 1958 was pleased in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (XIV of 47), to refer to me for adjudication the industrial dispute between the parties above named with regard to the following matter specified in the schedule to the said order.

SCHEDULE

"Whether the management of Central Kirkend Colliery P. O. Kusunda, Dhanbad, is justified in keeping Shri Amrit Sonar, Line Mistry of the Colliery under suspension for more than 10 days and putting him on leave without pay on and from 2nd November 1956 and if not what relief the worker is entitled to."

2. After the usual notices were issued on the parties, the Secretary, Bihar Koyala Mazdoor Sabha, filed written statement of claim on 17th April 1958 and the the company after obtaining two extensions of time, filed its written statement in reply on 10th May 1958. Thereafter, the matter was fixed for hearing on 17th July 1958, when parties filed the annexed terms of settlement and prayed that an award be made in terms thereof.

3. As the terms of settlement appear to be fair in the facts and circumstances of this case, I make an award in terms of the settlement reached between the parties, which shall form part of this award. No order as to costs.

(Sd.) SALIM M. MERCHANT,

Chairman, Central Govt, Industrial Tribunal, Dhanbad.

DHANBAD:
17th July 1958.

BEFORE THE CHAIRMAN CENTRAL GOVERNMENT'S INDUSTRIAL
TRIBUNAL, DHANBAD

REFERENCE No 15 of 1958

Employers in relation to Central Kirkend Colliery.

AND

Their workmen.

The humble petition on behalf of the above named parties

MOST RESPECTFULLY SHEWETH.—

That the above reference has been compromised between the parties on the following terms.—

1. That the Employers will pay a sum of Rs. 650/- (Rupees six hundred and fifty) only to Shri Amrit Sonar, workman concerned, in full and final settlement of all his claims and reliefs prayed for in the statement of the workman. The above sum of Rs 650/- will be paid within one week from the date of this compromise.

2. That the service of Sri Amrit Sonar will stand terminated and he will not claim re-instatement.

3. That Shri Amrit Sonar has no other claim on any other account from the Employers.

4. That the parties will bear their own cost of this reference.

It is therefore humbly prayed that the present reference may be disposed of and an award be passed on the aforesaid terms of compromise.

And for this your petitioners as in duty bound shall pray.

S C JAIN, Director, Central Kirkend Collieries, 17-7-58.

Explained to the worker in Hindi by me

PROSANTA BURMAN.

For Employer.

Sd/- SALIM M. MERCHANT, 17-7-58.

For workmen.

Chairman,

[No. LR-II/2(11)/58.]

Take on file.

S.O. 1614, N.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Amalgamated Selected Jharia and Khas Jharia Co. (P) Ltd, P. O. Jharia, Dhanbad and their workmen.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

REFERENCE No. 14 of 1958.

PARTIES

Employers in relation to Amalgamated Selected Jharia and Khas Jharia Co., (P) Ltd, P. O. Jharia, Dhanbad,

AND

Their workmen,

Dated the 17th July 1958.

PRESENT

Shri Salim M Merchant, B.A., LL.B., Chairman

APPEARANCES.

Shri D Narsingh, Advocate, with Shri A K Roy, Manager, Selected Jharia and Khas Jharia Co., Ltd, for the employer company.

Shri B N Sharma, Member, Executive Committee, Colliery Mazdoor Sangh, for the workmen.

State. Bihar.

Industry: Coal.

AWARD

The Government of India, Ministry of Labour and Employment by Order No. L.R. II/1(24)/58 dated 21st March 1958, made in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (XIV of 47), was pleased to refer the industrial dispute between the parties above named in respect of the following matters specified in the schedule annexed to the said order to me for adjudication.

SCHEDULE.

"(i) Whether the refusal of the management of the Selected Jharia Colliery to give work to the following 34 miners was justified and if not to what relief the miners in question should be entitled:—

1. Shri Mahadeo Bowrin
2. Shri Shoshi Bowrin
3. Shri Guhj Rajwar
4. Shri Haradhan Rajwar
5. Shri Jhari Rajwar
6. Shri Pahlán Bowrin
7. Shri Bodi Kora
8. Shri Rupan Kora
9. Shri Manoo Rajwar
10. Shri Etonu Gope
11. Shri Khidan Bowrin
12. Shri Fulku Manjhi
13. Shri Ramroop Jaiswar
14. Shri Sukhu Jaiswar
15. Shri Bagan Manjhi
16. Shri Manolal Manjhi
17. Shri Sitaram
18. Shri Ganesh
19. Shri Lakhan
20. Shri Shamlal
21. Shri Gafur
22. Shri Kali Koli
23. Shri Samaroo
24. Shri Keleshar
25. Shri Gobind Kumhar
26. Shri Bhusan Bowri
27. Shri Shrimanto Bowri
28. Shri Amulya Bowri
29. Shri Bant Rajwar
30. Shri Tilu Rajwar
31. Shri Kedar Rajwar
32. Shri Bhikhu Rajwar
33. Shri Tripathi Thakur
34. Nakul Bowri

(ii) Whether the strike resorted to by the workmen from 18th February 1958 was justified and if so, to what relief should they be entitled;

(iii) Whether the look-out declared by the management with effect from the 21st February 1958 was justified and if not, to what relief the workmen should be entitled."

2. Upon the usual notices being issued on the parties, the Colliery Mazdoor Sangh filed the statement of claim on 6th May 1958 and the company filed its written statement in reply on 9th July 1958. Thereafter, the dispute was fixed

for hearing on 16th July 1958, when Shri D. Narsingh, Advocate, for the company stated that of the 34 workmen concerned in demand No. 1 under reference, the company had already taken back the following 9 workmen in its service in their old post with continuity of service but without wages for the period of their unemployment and that they were at present in employment of the company:—

<i>Serial No. in schedule.</i>	<i>Name.</i>
------------------------------------	--------------

- | |
|-------------------------|
| 2. Shri Shoshi Bowrin |
| 7. Shri Bodi Kora |
| 9. Shri Manoo Rajwar |
| 12. Shri Fulku Manjhi |
| 16. Shri Manolal Manjhi |
| 17. Shri Sitaram |
| 19. Shri Lakhan |
| 20. Shri Shamlal |
| 34. Shri Nakul Bowri |

3. Shri Narsingh further stated that the following three workmen namely:—

<i>Serial No. in schedule.</i>	<i>Name.</i>
--------------------------------	--------------

- | |
|-----------------------|
| 21. Shri Gafur |
| 22. Shri Kali Koli |
| 26. Shri Bhusan Bowri |

were discharged from the service of the company from 14th January 1958 and upon this statement being made and on my suggestion, the Union did not press the claims of the above mentioned 12 workmen

4. Shri Narsingh further stated that Serial No. 10 of the Schedule to the order of reference, Shri Etonu Gope was never an employee of this company and his name had wrongly been included in the reference. Upon this statement, the union did not press his claim and his claim is therefore dismissed.

5. With regard to the remaining following 21 workmen:—

<i>Serial No. in schedule.</i>	<i>Name.</i>
------------------------------------	--------------

- | |
|---------------------------|
| 1. Shri Mahadeo Bowrin |
| 3. Shri Gunj Rajwar |
| 4. Shri Hardhan Rajwar |
| 5. Shri Jhari Rajwar |
| 6. Shri Pahlani Bowrin |
| 8. Shri Rupani Kora |
| 11. Shri Khidan Bowrin |
| 13. Shri Ramroop Jaiswar |
| 14. Shri Sukhu Jaiswar |
| 15. Shri Bagan Manjhi |
| 18. Shri Ganesh |
| 23. Shri Samaroo |
| 24. Shri Kaleshwar |
| 25. Shri Gobind Kumhar |
| 27. Shri Shrimanto Bowri |
| 28. Shri Amulya Bowri |
| 29. Shri Bant Rajwar |
| 30. Shri Tilu Rajwar |
| 31. Shri Kedar Rajwar |
| 32. Shri Bhikhu Rajwar |
| 33. Shri Tripathi Thakur. |

the company stated that it had not stopped them from work but they had voluntarily failed to report for work. The company on my suggestion was prepared to take them back if they report for work within 10 days from 16th July 1958. In that event, the company offered to give them employment in their former posts with continuity of past services but without wages for the period until they report back for work within the ten days specified above. On my suggestion, the union was agreeable to this arrangement, and I, therefore, make an award accordingly.

6. In view of this settlement the union did not press the demands Nos. 2 and 3 under reference which shall therefore stand dismissed. No order as to costs.

Sd./-SALIM M. MERCHANT, *Chairman, Central Gov.,
Industrial Tribunal, Dhanbad.*

Dhanbad,

17th July 1958.

[No. LR II/1(24)158.]

S.O. 1615.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employees in relation to the New Marine Coal Company (Bengal) Private Limited, Post Office Kusunda and their workmen.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

REFERENCE No. 21 OF 1958

PARTIES:

Employers in relation to Messrs. New Marine Coal Co. (Bengal) Private Ltd.
P.O. Kusunda.

AND

Their workmen.

Dated the 22nd July 1958.

PRESENT:

Shri Salim M. Merchant, B.A.L.L.B.,
Chairman.

APPEARANCES:

Shri Prasanta Burman, Treasurer, Bihar Koyala Mazdoor Sabha for the workmen.

Shri K. R. Saini, Manager, for the employers.

State: Bihar.

Industry: Coal.

AWARD

The Government of India, Ministry of Labour and Employment, by order No. LR.II/2/42/58 dated 5th May 1958, made in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (XIV of 47), was pleased to refer to me for adjudication the industrial dispute between the parties above named in respect of the following matters specified in the schedule to the said order.

SCHEDULE

"1. Whether the management of New Marine Colliery of New Marine Coal Co. (Bengal) Private Ltd. P.O. Kusunda, (Dhanbad) was justified in dismissing Shri Jethu Bhulan.

2. If not, what relief the workman is entitled to?"

2. After the usual notices were issued, the Bihar Koyala Mazdoor Sabha filed its statement of claim on 26th May, 1958 and the employers files their written statement in reply on 7th June, 1958. Thereafter, the matter was fixed for hearing on 19th July, 1958, when after being part heard, it was adjourned till today for settlement. The parties have today filed the terms of settlement reached

between them and pray that an award be made in terms thereof. A copy of the terms of settlement is annexed hereto and marked Annexure 'A'. Under the terms of settlement the company has agreed to reinstate Jethu Bhuian without break in the continuity of service as General Mazdoor on his reporting for work within 7 (seven) days from the date of the settlement. The company has also agreed to pay Shree Jethu Bhuian compensation of Rs. 75/-. I think the terms of settlement are fair and reasonable, considering the facts and circumstances of the case and I therefore make an award in terms thereof.

SALIM M. MERCHANT,

Dhanbad,

Chairman,

22nd July, 1958.

Central Government Industrial Tribunal, Dhanbad.

ANNEXURE 'A'

BEFORE THE CHAIRMAN, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
DHANBAD.

REFERENCE NO. 21 OF 1958

Employer in relation to New Marine colliery.

AND

Their Workmen.

The parties above-named have compromised the above reference in the following terms:

- (1) That Sri Jethu Bhuyan will be re-instated without break in the continuity of his service.
- (2) That Sri Jethu Bhuiyan will join as a General Mazdoor in the colliery with effect from the date he joins but not later than 7 days from the date of this compromise.
- (3) That Sri Jethu Bhuian will be paid Rs. 75/- as compensation.
- (4) That the parties will bear their own costs.

It is therefore prayed that the reference may kindly be disposed of on compromise and an award may kindly be passed in terms thereof.

And for this your petitioner as in duty bound shall ever pray.

PROSANTA BARMAN,

For workmen.

(Sd.) Illigible.

For Employer.

[LR/II/2(42)/58]

S.O. 1616.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Labour Court, Nagpur, in the industrial dispute between the employers in relation to the Nowrozabad Colliery, P.O. Nowrozabad and their workmen.

BEFORE SHRI P. D. VYAS, CENTRAL GOVERNMENT LABOUR COURT,
NAGPUR AT BOMBAY

REFERENCE (LC) No. 2 OF 1958

ADJUDICATION BETWEEN

The Nowrozabad Colliery, Shahdol, M.P.

AND

Their Workmen.

In the matter of an industrial dispute regarding discharge of Shri A. S. Valdia.

APPEARANCES:

Shri R. H. Rangarao, Personnel Officer, with Shri J. H. Bhambe and Shri H. B. Parekh, for the company.

Shri K. B. Chougule, General Secretary, and Shri M. A. R. Quraishi, President of the Nowrozabad Colliery Mazdoor Sangh, for the workmen.

AWARD

This reference has been made to me by the Central Government in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, under an Order dated 25th March, 1958 in respect of an industrial dispute between the employers in relation to Nowrozabad Colliery and their workmen. The dispute relates to the matter specified in the schedule to the said order.

SCHEDULE

"Whether the discharge of Shri A. S. Vaidya, Chief Time Keeper, Nowrozabad Colliery was justified; if not, what relief he is entitled to?"

2. On the usual notices being issued the General Secretary, Nowrozabad Colliery Mazdoor Sangh, has filed the statement of claims on behalf of the workmen and on behalf of the Associated Cement Cos. Ltd., Nowrozabad Colliery (hereinafter referred to as the Company) its Executive Head has filed the written statement.

3. The case on behalf of the workmen is that Shri A. S. Vaidya was working as Chief Time Keeper in the Nowrozabad Colliery and he has been discharged from service with effect from 9th September 1957 on the charges of alleged over-payment and wilful tampering with Company's Confidential Records. The said charges were levelled against Shri Vaidya with a view to victimize him for his Trade Union activities. All the payments made by him were under the orders of his superiors and the alleged over-payment had been checked and found correct by the Checkers and had also been further passed for payment by the Manager, Assistant Manager and the Office Superintendent. After being charged with the alleged over-payment, he was called upon to work in the main office and in his place one Shri Kedar Nath Sharma was appointed. As Shri Vaidya needed certain documents for reference in order to give explanation to the charge about the alleged over-payment, he with the consent of his successor took away the same after giving a receipt therefor. But this was treated as wilful tampering with the Company's confidential records and an additional chargesheet to the same effect was served on him. He had given an explanation that he was neither responsible for the alleged over-payment nor had he tampered with any of the Company's confidential records. On an inquiry which was neither just nor proper he was held guilty but in the circumstances of the case the orders of the management are liable to be set aside and the concerned workman should be reinstated with full backwages and other benefits.

4. On behalf of the Company the allegation of victimization is emphatically denied and the Company's case has been that it is not true that the alleged over-payment made by the workman was under the orders of his superiors. It was the direct responsibility of Shri Vaidya to see that payments according to the rates fixed and contracted were billed in appropriate books, designed for a particular work. In fact when reference was made through the time office clerk to the Assistant Manager about clarification of the rate, the Assistant Manager very clearly directed that the payment should be made according to the rate indicated i.e. Rs. 3-5-7 per foot. Shri Vaidya had therefore no reason or justification to assume that this rate was only basic. As regards the documents, the Company submits that the action of Shri Vaidya in this connection was unauthorised and his successor who was only a clerk had no authority to hand over any papers even under receipt. Shri Vaidya himself having occupied a responsible position of Chief Time Keeper ought to have been aware of the dangerous consequences of such practice, if papers could be abstracted with impunity without authority from Time Office. After issuing regular chargesheets, a proper, fair and impartial inquiry was held in respect of both the charges and any allegations to the contrary are denied. It was after being given an opportunity to defend himself, examine his witnesses and cross-examine the Company's witnesses, that on inquiry he was found guilty of the charges. The charges were serious and in view of his past record, the Company was entitled to dismiss Shri Vaidya. He was, however, only discharged and was informed in writing that he will be paid one month's salary in lieu of notice. He is thus entitled to no such relief as claimed on his behalf by the workmen in the statement of claims.

5. It appears that Shri Vaidya joined the services of the Company in the year 1951 as an Account Clerk and in 1956 he was promoted to the post of Chief Time Keeper. This was the post which he last held upto the time when he was first

chargesheeted under a letter dated 26th May 1957 signed by the Manager of Nowrozabad Colliery. The charge was:—

"It has been brought to our notice that the Assistant Manager instructed you verbally and in writing to the effect that a consolidated rate of Rs. 3-5-7 per foot was fixed for the driving of galleries in Nos. 2 and 4 Inclines for connecting with old water-logged workings. In spite of the clear instructions given to you, it is found that you, of your own, prepared the bills for the above contractors at a very high rate, thus putting the company to a great loss.

Will you please explain immediately why the instructions of the Assistant Manager were neglected by you and what made you to use your own discretion in preparing the bills at a higher rate, than the one fixed by the Assistant Manager, intimation of which was given to you in writing."

6. On the same day he was called upon to work in the main office and hand over the charge of Chief Time Keeper to one Shri Kedar Nath Sharma. Thinking that he would require certain papers to prepare his explanation in respect of the charge of over-payment which was levelled against him on the same day, he while handing over the charge of Chief Time Keeper to Shri Kedar Nath Sharma retained certain documents with him after giving a receipt therefor. His successor Shri Kedar Nath Sharma also when receiving charge made a note of these documents in the memo addressed to Shri A. S. Vaidya as under:—

"Excepting the following papers I have received a charge of all your files and other records of the Time Office and Incline Office.

- (1) 3 Duplicate memo books.
- (2) A Majumdar's (telephone operator) application for U.G. allowance.
- (3) Chits sanctioned for drift stone removing @ 2 per cent cft. and lend @ -/3/-.
- (4) Copy of letter of Shree Kedarnath Sharma (dated 6th May 1957) addressed to Assistant Manager regarding difference of tubs as per measurement etc.
- (5) Sanctioned a slip for stone packing rate @ 25/- per 1000 cft. inclusive of everything.
- (6) Letter of Shree B. K. Pakoor, to the Manager dated 17th May 1957 regarding difference in drivage measurement and tubs raised.
- (7) A slip addressed to C. T. K. from Manager dated 15th May 1957 regarding Shri Habib's workers treated as sirkari and he to be paid @ -/2/- as commission.
- (8) Letter regarding payment to Habib Nos. 1, 2, 3, 4 & 5 total five letters written by C.T.K. to Office Supdt. and Manager.
- (9) Copy of letter No. 1 regarding revised rate for shale tubs addressed by C. T. K. to O.S.
- (10) Memo from C.T.K. to O.S. regarding signature of departmental heads.
- (11) Slip addressed to A.M. by overman regarding fixation for drivage rate to Habib.
- (12) Letter Nos. 1 to 34 in the register.

K. N. SHARMA."

This led to the issuing of another chargesheet dated 31st May 1957 under the signature of the Manager of the Colliery as follows:—

"It has been reported by Shri Kedar Nath Sharma that you have removed number of important papers and documents from Time Office on 29th instant without any information to or permission from any of the superior officers. This action of yours amounts to wilful tampering of Company's Confidential records.

You are directed to return all the papers and documents immediately on receipt of this letter and to submit a written explanation of your conduct within 48 hours of the receipt of this Charge-Sheet."

7 In answer to the said two chargesheets, Shri Vaidya gave two separate explanations in writing on 1st June 1957 and after certain correspondence between the parties both before and during the inquiry, he was ultimately held guilty of both the charges. For this purpose the Manager of the Colliery addressed to him the letter dated 9th September 1957 as follows

"After duly considering the evidence presented at the Enquiries held on 12th/13th June, 1957 and on 16th/17th June, 1957, in respect of the charges stated in the chargesheets Nos NC/Conf/2694 and NC/A/8/2790 dated 28th May 1957 and 31st May, 1957, respectively, served on you, I am satisfied that you are guilty of the charges stated therein. It is, therefore, proposed to discharge you from the service of the Company, with immediate effect, and you will be paid one month's salary in lieu of notice. You may collect your dues from the Office to-day."

8 The main action taken by the company against Shri Vaidya arises from the alleged over payment to one Habib who acted as the company's contractor in so far as drirage work was concerned. It is an undisputed fact that the payments were being made weekly at a certain rate to Shri Habib for drirage work in No 2 Incline and the so-called over-payment is alleged to have been made during the period from January 1957 to May 1957. It is a common ground between the parties that the order in respect of the payment to Shri Habib addressed to Shri Vaidya in his capacity as Chief Time Keeper was made on 3rd January 1957 by the Assistant Manager Shri A B Singh as follows—

"C T K—Please arrange to pay Habib Rs 3-5-7 per foot for the drirage in No 2—Incline Sd/ A B Singh—3rd January 1957"

Shri Vaidya's case is that on the basis of a chit containing this order as well as verbal orders given to him by the Assistant Manager on inquiry about the rate, he prepared the bills with Rs 3 5 7 as basic and added thereto 15 per cent D A which has been allowed under the Colliery Award on the basic rate. The company's case on the other hand is that the rate of Rs 3-5-7 was all inclusive and hence the said additional payment in the shape of D A is alleged to be the over-payment which continued right from January 1957 till May 1957. It is not the company's case that Shri Vaidya deliberately made any such over-payment or had any dishonest motive in doing so. There is no charge of any fraud or dishonesty in connection with the company's business or property and though it is not specifically so stated in the above-said chargesheet dated 26th May 1957, Shri Rangarao at the time of the hearing tried to bring the charge under the company's standing order 16(6) viz habitual negligence or neglect of work. Unless therefore it is established that in preparing the bills for the period in question, there has been any negligence or neglect of work on the part of Shri Vaidya the charge ought to fail.

9 The next charge of 'wilful tampering of company's confidential records' against Shri Vaidya has arisen from the circumstances referred to in paragraph 6 supra and it is because while handing over charge to his successor, Shri Vaidya retained certain papers with him in order to render explanation in connection with the first charge of alleged over payment, he is said to have wilfully tampered with the company's confidential records. In the standing orders governing the concern the standing order No 16 enumerates acts or omissions amounting to misconduct and there we find no reference to any such act viz 'wilful tampering of company's confidential records' as amounting to misconduct, apart from the question whether in the facts of the present case there has really been anything like "wilful tampering of company's confidential records". Though there is no specific provision in the standing orders nor is it so stated in terms in the chargesheet dated 31st May 1957 with which Shri Vaidya was served Shri Rangarao at the time of the hearing tried to bring the case under the standing order 16(2) under which theft, fraud or dishonesty in connection with the company's business or property amount to misconduct. In respect of this second charge also therefore, the company will have to establish whether the present case falls under the standing order 16(2) and whether the charge as it stands called for any action against Shri Vaidya in the circumstances of the present case.

10 Coming to the first charge of the so called over-payment in the shape of D A during the period from January 1957 to May 1957, we find that really-speaking there is nothing like negligence or neglect of work on the part of Shri Vaidya, and if at all at best, it may be described as an honest mistake arising from the way in which the aforesaid order dated 3rd January 1957 addressed to him by the

Assistant Manager Shri A. B. Singh is worded. The order does not make it clear as to whether the rate of Rs. 3-5-7 was all inclusive and that no further payment in the shape of D.A. allowed under the Colliery Award was required to be made. I was told at the time of the hearing that about 30 persons were working under Shri Habib and these workers were entitled to the wages, basic plus D.A. according to the Colliery Award and the payments were made to them from the amount Shri Habib recovered from the Company. No doubt Shri Habib himself was a contractor in so far as drivage work was concerned but looking to the fact that the persons working under him were entitled to the D.A. according to the Colliery Award, there was nothing like neglect or anything wrong on the part of the Chief Time Keeper Shri Vaidya, if in the absence of any specific directions in the order itself or otherwise, he prepared the bills @ Rs. 3-5-7 per foot together with D.A. @ 15 per cent as allowed under the Colliery Award. It is not the case here that the payments were made only under the responsibility of Shri Vaidya once or twice but the same as per bills continued right from January 1957 to May 1957 within the knowledge of his superiors viz. Manager, Assistant Manager, and the Office Superintendent who passed the said bills which were further checked by the checkers. It is unlikely that during all these months the said Officers never came to know how the bills were prepared and it was their duty to point out the mistake, if any, after carefully scrutinizing the bills. If they failed to do so, and allowed the payments as per bills from January to May 1958, it is rather unfair to cast the whole blame only on Shri Vaidya the Chief Time Keeper after several months assuming there is over payment if any.

11. We are now told that the fact of the overpayment in the shape of D.A. came to the notice of the Manager for the first time on 18th May 1957. But here again the story alleged on behalf of the Company itself goes to speak in favour of, rather than against, Shri Vaidya. Shri Rangarao for the company pointed out that on 18th May 1957 one Deputy Overman Shri Rane reported orally to Shri Vaidya that the drivage work in Incline No. 2 turned out to be more than normal and so both of them conveyed this fact to the Manager. Thereupon the Manager called for the Miner's payment Book for Incline Number 2 and it was only at this time that the Manager came to know of the over-payment. He then ordered that the rate be reduced to Rs. 1.34 basic plus 15% D.A. per running foot which would be equivalent to Rs. 3-5-7. If this was done right from the beginning or if the aforesaid order dated 3rd January 1957 had made it clear that Rs. 3-5-7 per running foot was all inclusive, there would have been no mistake anywhere and the bills could have been prepared accordingly by the Chief Time Keeper Shri Vaidya. It may be noted that the Manager's said order was resented by Shri Habib and he had to be paid @ Rs. 3-5-7 plus 15% D.A. right upto 18th May 1957 on which date his contract was terminated and whereafter the new arrangement was introduced from 21st May 1957 under which the work was made departmental and Shri Habib agreed to work on a commission basis like a Miner's Sardar. The payment to be made under this arrangement was Rs. 2-1-4 for a tub of 40.5 Qft inclusive of basic, D.A., bonus, and underground allowance to the workers plus commission of 2 Annas per tub to Shri Habib. I was further told that under this new arrangement the amount of so-called over-payment during the period in question has been recovered in instalments from the commission payable to Shri Habib and thus the company has suffered no financial loss on this account.

12. It may be seen from the facts and circumstances discussed above that there is nothing like negligence or neglect of duty on the part of Shri Vaidya in preparing the bills during the period in question. In the first place there is no reason to assume that the rate of Rs. 3-5-7 was all inclusive especially when the weekly payments continued for several months at that rate plus D.A. at 15 per cent within the knowledge of all the immediate superiors and without being objected to by them or by the checkers. It was only for the first time on 18th May 1957 that the manager took the view that Rs. 3-5-7 should be treated as all inclusive but on protest by Shri Habib he himself had to give way and make the payment at Rs. 3-5-7 plus D.A. as per the previous bills and the aforesaid new arrangement was introduced only from 21st May 1957. Assuming there was any mistake on the part of Shri Vaidya in preparing the bills, it was honest and it arose from the vague manner in which the aforesaid order dated 3rd January 1957 was worded by the Assistant Manager. It further continued because none of the immediate superiors or the checkers questioned the correctness of the bills during the period in question. On the contrary on hearing about the drivage work in incline No. 2 being more than normal from the Overman Shri Rane, he joined in reporting the matter to the Manager on 18th May 1957, a fact which goes to indicate his bona fides. Moreover, the Company has suffered no financial loss since the amount by way of instalments has already been recovered from

Shri Habib under the arrangement referred to above. In my opinion there is no basis for the charge levelled against Shri Vaidya and in originating the same the Manager seems to have been unfair and wanting in good faith.

13. Not only that the charge is wrong but it can hardly be said to have been established in the inquiry which followed the same. I have gone through the inquiry proceedings, the irregularities whereof even Shri Rangarao for the Company could not deny. There is, however, no question of mere irregularities but the whole inquiry has been carried on in a perfunctory and onesided manner so as to evade the real issue. The inquiry committee consisted of the Manager and three other officers including Office Superintendent. The bills during the period in question did pass through the hands of the Manager as well as the Office Superintendent who never questioned the correctness thereof until 18th May 1957 under the circumstances stated above. Any attempt on their behalf now to cast the blame on the Chief Time Keeper Shri Vaidya has to be judged with great caution and their participation in the inquiry proceedings has deprived of the same that touch of impartiality which ought to be there. All the witnesses examined have been made to answer certain set questions without having a free hand to narrate the story in their own way. It has manifestly been the endeavour of the inquiry committee to cast the whole blame on Shri Vaidya alone, whereas assuming there was any over-payment as alleged, it was equally the duty of all the other officers and checkers through whose hands the bills passed to see that the same were correctly prepared according to the rate fixed. The attitude of the Assistant Manager Shri Singh all through-out seems to be far from satisfactory and he has shunned facing the situation though as a matter of fact the whole difficulty if any, has arisen from his vague order. It was his duty to clarify the order in a proper manner or to see that it was being properly complied with at the time of the weekly payments during the period in question. This is not a normal inquiry carried on bonafide by a domestic tribunal so that under ordinary circumstances no interference is called for unless (i) when there is a want of good faith, (ii) when there is victimization or unfair labour practice, (iii) when the management has been guilty of a basic error or violation of a principle of natural justice, and (iv) when on the materials, the finding is completely baseless or perverse,—as observed by the Supreme Court in the case of Indian Iron & Steel Co., Ltd., vs. their workmen—1958 1 LLJ. 260 at 270. In the case before us there is no basis for the charge itself namely habitual negligence or neglect of work so as to call for an inquiry and even otherwise the inquiry itself has not been carried on in good faith without any violation of the principles of natural justice as expected of a domestic tribunal.

14. The second charge under the chargesheet dated 31st May 1957 is also entirely misconceived and there is in fact no case of "wilful tampering of Company's confidential records" as alleged in the charge-sheet. What happened was that on the date on which Shri Vaidya was served with the first charge-sheet, he was called upon to work in another office and to hand-over the charge of Chief Time Keeper to one Shri Kedarnath Sharma. He required certain papers to prepare his explanation in respect of the first charge and he therefore, while Shri Kedarnath Sharma took over the charge of Chief Time Keeper, retained certain documents with him after passing a due receipt therefor. Shri Sharma took no objection and accepted the charge with a memo referred to in paragraph 6 supra saying that excepting certain papers there referred to he had received the charge of all the files and other records of the time office and Incline office. If there was anything wrong or objectionable on the part of Shri Vaidya to retain any such documents with him, it was the duty of Shri Sharma to point out the same and not to allow Shri Vaidya to retain any documents with him. Having connived at and practically permitted the retention of these documents by Shri Vaidya, it was highly improper on the part of Shri Sharma to make any such report as alleged in the second chargesheet dated 31st May 1957. The said chargesheet states "It has been reported by Shri Kedarnath Sharma that you have removed number of important papers and documents from the time office on 29th instant without any information to or permission from any of the superior officers...." If any information to or permission from the superior officers was necessary, it was equally the duty of Shri Sharma not to act in the manner in which he did by accepting the charge and allowing certain papers to be retained by Shri Vaidya. Shri Vaidya in his explanation dated 1st June 1957 to the second chargesheet made it clear that he had kept certain papers with him for reference while preparing his reply and he did so with the consent of the person to whom he handed over the charge after giving a receipt for the same. He further gave an assurance that he would send the papers back as soon as his reply was ready and in fact he immediately returned the same on the next day i.e. on 2nd June 1957.

15. It was conceded before me that the records contained no business secret nor were confidential and it has not been alleged or established that the contents thereof were disclosed to any outsider. There has really been nothing like tampering with the company's confidential records and no such act is specifically mentioned as amounting to misconduct in any of the clauses of the standing order 16. Shri Rangarao for the Company argued that the standing orders are not exhaustive and it is open to the employers to take action if they consider any act or omission as amounting to misconduct. The standing orders are framed under the Industrial Employment (Standing Orders) Act, 1946 which is an Act to require employers in industrial establishments formally to define conditions of employment under them and the preamble thereof runs thus:

"WHEREAS it is expedient to require employers in industrial establishments to define with sufficient precision the conditions of employment under them and to make the said conditions known to workmen employed by them."

It is the employer under the Act who has to submit to the certifying officer the draft standing orders proposed by him for adoption in his industrial establishment and therefore it is his duty to make all the necessary provisions in the draft. The very object of the standing orders as well as of the Act under which they are framed would be frustrated, if it were open to an employer to add to the list and to treat any act or omission as amounting to misconduct whenever he so chooses. In this manner an employer may get rid of any worker at any time by bringing any charge against him and thus jeopardize, the security of his service, to ensure which it has been the endeavour of the Courts and Tribunals in recent years by laying down certain principles. Under Section 3 (2) of the Industrial Employment (Standing Orders) Act, provision has to be made in the draft submitted by the employer for every matter set out in the schedule which may be applicable to his industrial establishment and where model standing orders have been prescribed the draft has so far as is practicable to be in conformity with such model. It is true that if the model enumerates certain acts or omissions as amounting to misconduct and if under the requirements of a particular establishment it is found impracticable to conform to the model, the employer may add to the list in the draft by providing for other or additional acts or omissions as amounting to misconduct for the purposes of his industrial establishment. But once the standing orders are certified under the provisions of the Act, they constitute the conditions of employment as made known to the workmen, unless and until modified in the manner laid down under the Act. When it has been made known to workmen as to what acts or omissions on their part would amount to misconduct, under the standing orders, it is incumbent on them to see that they commit no such misconduct in the discharge of their duties. If, however, they were to stand answerable for any other act or omission which was never before made known to them as amounting to misconduct, it would encourage capricious actions on the part of the employers so as to effect the security of their service. It may be made clear that we are not here dealing with the case of termination of employment by notice or by payment of wages in lieu of notice for any ground other than that of misconduct. The case before us is one of discharge from service in the result of the concerned. Workman having been held guilty of the charge of misconduct levelled against him. In such a case we have to look to the relevant standing order No. 16 as it stands and the charge of "wilful tampering of company's confidential records" does not arise nor is contemplated under the same.

16. Shri Rangarao for the company further tried to bring the second charge under the standing order 16(2) according to which fraud or dishonesty in connection with the company's business or property amounts to misconduct. There is however no proof or suggestion that in retaining the documents with him Shri Vaidya committed any act of fraud or dishonesty in connection with the Company's business or property. There is no such specific averment in the chargesheet nor has the inquiry proceeded on that line. The retention of the documents with him in the circumstances stated above may at best amount to a little act of indiscretion on the part of Shri Vaidya, but in no case it involves any "tampering of Company's Confidential records" as alleged in the chargesheet or any fraud or dishonesty in connection with the Company's business or property as suggested by Shri Rangarao at the time of the hearing. In my opinion therefore, apart from any other considerations, the inquiry based on a charge which does not lie is of no effect. Moreover, the inquiry in respect of the second charge also is tainted with the same draw-backs as pointed out above in connection with the inquiry regarding the first charge. It may be noted that besides the two

chargesheets now in question. Shri Vaidya was also chargesheeted on 25th May 1957 for not issuing tokens to workers etc. but this charge was not further pursued. In the ultimate order dated 9th September 1957 under which he was discharged from the services of the company, as quoted in paragraph 7 supra, reliance has been placed on the two charges viz. the so-called over-payment and wilful tampering of company's confidential records in respect of which Shri Vaidya was held guilty in the result of the inquiries following the same.

17. In the circumstances discussed above, the order of discharge cannot be sustained on the grounds on which it is based and this is undoubtedly a case of wrongful and unjustifiable termination of service. Just by way of an afterthought the Manager has made an affidavit on 21st May 1958 after the hearing was concluded and it was received by post on 26th May 1958. No such affidavit in the first place can be accepted at that stage. It has there been stated that when the Manager passed the order of discharge against Shri Vaidya he had in mind and taken into account Shri Vaidya's previous unsatisfactory record and also his general conduct. The order of discharge however is not based on any such general considerations and what is there stated by the Manager may be reproduced:—

"After duly considering the evidence presented at the Enquiries held on 12th/13th June, 57 and on 16th/17th June, 57, in respect of the charges stated in the Chargesheets Nos. NC/Conf/2694 and NC/A/8/2790 dated 26th May 57 and 31st May, 57 respectively, served on you I am satisfied that you are guilty of the charges stated therein. It is, therefore, proposed to discharge you from the services of the Company, with immediate effect etc."

Thus it was because Shri Vaidya was considered to be guilty of the charges levelled against him that the order of discharge was made. If we come to the conclusion that the charges had no real basis, that the same called for no inquiry under the standing order No. 17 governing the Concern and that even otherwise there has been no proper inquiry, the order of discharge has to be set aside and the normal relief available to the concerned workmen should be reinstatement with full back-wages. I was told that in February 1958 Shri Vaidya was offered besides his Provident Fund of about Rs. 6,000/-, Rs. 3,225/- by way of one month's notice pay, one month's salary, basic plus D.A. per every completed year of service and half a month's wages basic plus D.A., and bonus for the period from the date of discharge up to the date of settlement. Shri Rangarao for the company pointed out that as Shri Vaidya's relations with the Manager have since been strained, his reinstatement in service will not be conducive to industrial peace and suggested that he may be awarded some compensation in lieu of reinstatement in case he succeeds. On behalf of Shri Vaidya it was urged that in case re-instatement is not ordered on any such ground, he may be awarded adequate compensation.

18. In the circumstances of the case and taking all the relevant factors into consideration, I hold that the order of discharge against Shri A. S. Vaidya is not justified and he is entitled to be reinstated with full back wages. I therefore direct accordingly and in the alternative further direct that if the company is not prepared to reinstate Shri Vaidya, he shall be paid Rs. 5,000/- by way of compensation in lieu of re-instatement together with full back wages from the date of discharge up to the date of the said payment of Rs. 5,000/- and besides he shall be paid one month's notice pay and all his other dues by way of Provident Fund etc. and fifteen day's salary, basic plus D.A., per every completed year of service inclusive of the period upto the said payment of Rs. 5,000/- in lieu of reinstatement. The Company shall further pay Rs. 100/- by way of costs.

Date: 15th July, 1958.

P. D. VYAS, JUDGE,
Central Government Labour Court, Nagpur at Bombay.
[No. LRII/2(16)/58]

S.O. 1617.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the South Kujama Colliery of the Bagdigi Kujama Collieries Co., Ltd., P.O. Jharia, Dhanbad and their workmen.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL DHANBAD.

REFERENCE No. 28 OF 1958

PARTIES:

Employers in relation to South Kujama Colliery of the Bagdigi Kujama Collieries Co., Ltd.

AND

Their workmen.

Dated the 17th July, 1958

PRESENT

Shri Salim M. Merchant, B.A.L.L.B., Chairman:

Appearances:

Shri Mahesh V. Desai,

General Secretary, Kolya Mazdoor Panchayat for workmen.

Shri J. N. Mittra, Manager, for the company.

State: Bihar.

Industry: Coal.

AWARD

The Government of India, Ministry of Labour & Employment, by Order No. LR.II/2(47)/58 dated 9th May 1958 was pleased in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (XIV of 47), to refer to me for adjudication the industrial dispute between the parties above named in respect of the following matter specified in the schedule to said order:—

"Whether refusal to employ Srimati Baroda Devi, Creche Ayah on and from the 26th January 1958 by the management is justified? If not, what relief she is entitled to?"

2. After the usual notices were issued on the parties for submitting their written statements, this Tribunal was informed by the Regional Labour Commissioner (Central), Dhanbad, that through his intervention a settlement had been reached between the parties. Thereafter the matter was fixed for preliminary hearing on 25th July 1958 but the parties appeared before me on 16th July 1958 and filed a copy of the agreement reached between them before the Regional Labour Commissioner (Central), Dhanbad on 19th May 1958 and prayed that an award be made in terms thereof. A copy of the parties' application and the terms of settlement reached between them are annexed hereto and marked annexures A and B respectively.

3. I may record that parties stated that Srimati Baroda Devi has since rejoined service and has been paid her dues as provided under the agreement.

4. I, therefore, make an award in terms of the agreement reached between the parties which shall form part of this award.

SALIM M. MERCHANT, Chairman,

Central Govt. Industrial Tribunal, Dhanbad.

Dhanbad, 17th July 1958.

ANNEXURE "A"

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL AT DHANBAD.

IN THE MATTER OF REFERENCE No. 28 OF 1958

PARTIES: Employers in relation to South Kujama Colliery of the Bagdigi Kujama Collieries Co. (1946), Ltd.

Versus

Their Workmen.

This joint petition of the above parties states as under:

1. That the issue regarding refusal of employment of Shrimati Baroda Devi Creche Ayah on and from 26th May 1958 by the management of South Kujama

Colliery was discussed in the presence of the R.L.C.(C), Dhanbad on the 19th May 1958 at 9 A.M.

2. That as a result of the discussion an agreement was arrived at between the parties the terms of which are reproduced in Appendix 'A'.

3. That as per clause (a) of the agreement Shrimati Baroda Devi has been reinstated on and from the 26th May 1958 on which date she referred to the manager for duty.

4. That Shrimati Baroda Devi has been paid on 31st May 1958 in terms of clause (c) and (d) of the agreement in the presence of the R.L.C. (C), Dhanbad as desired by Shrimati Baroda Devi as per clause (g) of the agreement.

It is now prayed in this joint petition by the Parties that an award be given by this Tribunal in terms of the agreement

I solemnly declare that what is stated in paragraphs 1 to 4 are true to my knowledge and the last paragraph is by way of submission.

1. Representative of the Management.

2. Representative of workmen.

ANNEXURE 'B'

Settlement arrived at between the management of South Kujama Colliery of M/s Badigi Kujama Collieries Ltd., P.O. Jharia, and their workmen represented by the Koyla Mazdoor Panchayat, Jharia on 19-5-58 at 9 A.M.

Representing the management.

1. Shri J. N. Mitra, Manager, South Kujama Colliery.

2. Shree B. K. Ghosh, Welfare Officer, South Kujama Colliery.

Representing the workmen

1. Shri Mahesh Desai, General Secretary, Royala Mazdoor Panchayat.

2. Shri Hariban Singh, Secretary, Royala Mazdoor Panchayat.

The issue regarding refusal of employment of Shrimati Baroda Devi, Creche Aya on and from 26-1-58 by the management of South Kujama Colliery which is now pending before the Industrial Tribunal, Dhanbad for adjudication was discussed in the presence of the Regional Labour Commissioner, (c), Dhanbad. As a result of the discussions, it is agreed as follows:—

- (a) Shrimati Baroda Devi will be re-instated as Creche Aya on her reporting to the manager on or before 26-6-58.
- (b) The intervening period between 26-1-58 and the actual date of her joining will be treated as on duty for purposes such as leave and return Railway fares.
- (c) For the intervening period referred to in clause (b) above, Shrimati Baroda Devi will be paid half her basic pay and D.A., treating her initial pay from the date of her first appointment as Rs. 28/- in the scale of Rs. 22-1-30 as awarded by the Mazumdar Tribunal.
- (d) As a special case, Shreemati Baroda Devi will be paid for the quarter ending March 1958, the same amount of bonus as she had earned for the quarter ending December 1957.
- (e) In case, Shrimati Baroda Devi puts in proportionate qualifying attendance for the remaining period of quarter ending June 1958 from 26-5-58, she will be paid the same amount of bonus as she had earned for the quarter ending December 1957.
- (f) In case, Shrimati Baroda Devi fails to report for duty on or before 26-5-58 in terms of clause (a) above, she will be given another fortnight from that date to do so but the intervening period from 26-5-58 till the date of her joining duty will be treated as leave without pay.

- (g) The payments due to her under this settlement shall be paid within a week of her joining duty and if she so desires, the payment shall be made in the presence of the Regional Labour Commissioner, (c), Dhanbad or his nominee in his office.

Both the parties will submit a joint application within 10 days of Shrimati Baroda Devi's joining her duty to the Industrial Tribunal, Dhanbad with a prayer to give an award in terms of the settlement.

(Sd.) J. N. MITRA, (Sd.) B. K. GHOSE,

Representing the management.

(Sd.) MAHESH DESAI,

Representing the workmen.

Witnesses:

(Sd.) O. P. VENKATACHALAM,

Regional Labour Commissioner.

(Sd.) Illegible,

Labour Inspector (Central) Hd. Qrs. (Dhanbad).

Taken on file.

(Sd.) SALIM M. MERCHANT,
Chairman,

Central Govt. Industrial Tribunal, Dhanbad.

[No. LR II/2(47)/58.]

S.O. 1618.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Sitaldassji Selected Colliery, P. O. Searsole Rajbari, District Burdwan and their workmen.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

REFERENCE NO.-5 OF 1958

PARTIES:

Employers in relation to Sitaldassji Selected Colliery

AND

Their workmen.

Dated the 21st July 1958

PRESENT:

Shri Salim M. Merchant B.A., LL.B., Chairman.

APPEARANCES:

Shri D. Narsingh, Advocate, with Shri S. R. Goenka, Partner, for the employers.

Shri N. Roy, Advocate, with Shri K. Banerjee, General Secretary, Colliery Mazdoor Union, for the workmen.

Industry: Coal

State: West Bengal.

AWARD

The Government of India, Ministry of Labour & Employment, by Order No. LR. II-55-1(79)/57 dated 24th February 1958, made in exercise of the powers conferred by Clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, was pleased to refer to me for adjudication the industrial dispute between the parties above named in respect of the following matters specified in the schedule to the said order:—

(i) Whether the management of Sitaldassji Selected colliery are justified in refusing work to the following nine workers on restarting of their pits, which had closed when these workers were asked to proceed on long leave without pay?

1. Shri Narain Singh, Onsetter.
2. Shri Banarsi Singh, Munshi.
3. Shri Kishan Gope, U. G. Trammer.
4. Shri Haria Gope, S. F. Trammer.
5. Shri Dina Nath Singh, U. G. Trammer.
6. Shri Bara Saraju Singh, Trammer.
7. Shri Ramdavan Singh, Trammer.
8. Shri Lal Chand Sahu, Trammer.
9. Shri Jirdit Kurmi, S. F. Trammer.

(ii) If not, what relief are these workers entitled to?

2. After the usual notices were issued, the Colliery Mazdoor Union filed its written statement of claim on 22nd April 1958 and after a preliminary hearing was fixed on 3rd June 1958, the management filed its written statement in reply on 9th June 1958. Thereafter, at the adjourned hearing of the dispute on 21st July 1958, the parties filed a memorandum of settlement reached between them and prayed that an award be made in terms thereof. A copy of the terms of settlement is annexed hereto and marked Annexure 'A'. As the terms of the settlement appear to me in the facts and circumstances of the case to be fair and reasonable, I make an award in terms thereof. The agreement shall form part of this award.

(Sd.) SALIM M. MERCHANT, Chairman.

Central Govt. Industrial Tribunal, Dhanbad.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

REFERENCE No. 5 of 1958

Employers in relation to Shri Sitaldassji selected Colliery, P.O. Sea sole Rajbari, Dist. Burdwan.

AND

Their workmen, represented by Colliery Mazdoor Union, Asansol P.O.

The parties above named hereby beg to state as under:—

1. That the above dispute has been amicably settled between the parties on the terms hereinafter stated.

2. That the management shall reinstate the following six workmen out of the nine workmen named in the schedule to the above reference if they report for work within fifteen days hereafter.

- (i) Shri Narain Singh
- (ii) Shri Kishan Gope
- (iii) Shri Haria Gope
- (iv) Shri Dinanath Singh
- (v) Shri Ram Davan Singh, and
- (vi) Shri Jirdit Kurmi.

3. The management shall either give to the said six workmen their former jobs or if the same be not immediately available any other suitable jobs, subject to the condition that their wages are not less than the wages of their normal jobs. They will be given back their normal jobs as when the same shall be available.

4. The management shall pay to the said six workmen an *ex gratia* lump sum of Rs. 250 each for the period intervening between the closure of the mine and the resumption of their work.

5. The remaining three workmen, namely (1) Shri Banarasi Singh, (2) Shri Bara Sarju Singh and (3) Shri Lalchand Sahu shall be treated as retrenched on the date of the closure of the Mine. The management shall pay to them the lump sum of Rs. 500 each and also shall pay them compensation for retrenchment as due under the Law.

6. The length of service of the above-mentioned three workmen shall be determined by the Conciliation Officer, Raniganj before whom the management shall place all relevant records. The Conciliation Officer shall be requested to give his decision within a week from hence.

7. The management shall make the payment referred to in para. 4 above within seven days from the date on which the six workmen report for work, subject, further, to their reporting for work within fifteen days from date.

8. The management shall make the payment referred to in para. 5 above within a week from the date on which the Conciliation Officer conveys to the parties his decision regarding the length of service of the three workmen concerned.

9. In addition to the above payments to the workmen concerned, the management shall pay to all of them all other amounts due to them as on the date of the closure of the Mine, on account of wages, and bonus and in the case of the three workmen referred to in para. 5 above their wages for leave due but not availed as under the Mines Act, 1952.

10. The management shall pay Rs. 170 to The Workmen as costs.

11. The workmen declare that they have no further claim against the Management arising out of the present reference.

12. The parties to the reference pray that this Honourable Tribunal take this compromise on record and may be graciously pleased to give its Award in terms aforesaid.

And for this the management and the workmen shall ever pray.

(Sd.) Illegible,
General Secy.,
Colliery Mazdoor Union,
For Workmen.

(Sd.) Illegible,
For Management.

Taken on file.

Sd.
Chairman
Central Government
Industrial Tribunal,
Dhanbad.

21-7-58

[No. LR II/55-1(79)/58.]

ORDERS

New Delhi, the 30th July 1958

S.O. 1619.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to Narayanpur Colliery, P.O. Katrasgarh (Dhanbad) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad constituted under section 7A of the said Act.

THE SCHEDULE

Whether the dismissal of Shri Anadi Nath Tiwary, Attendance clerk of Narayanpur Colliery, P.O. Katrasgarh (Dhanbad) was justified and if not, what relief he is entitled to?

[No. LR II/2(79)/58.]

New Delhi, the 4th August 1958

S.O. 1620.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Churulia Colliery, P.O. Churulia (Burdwan) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

THE SCHEDULE

Whether the Management of Churulia Colliery, P.O. Churulia (Burdwan) is justified in changing the designation of Sarvashri Anil Kumar Chakrabarty,

Chaturbhuj Roy, Satish Chandra Mazumdar, Dukha Bowri and Dinjapada Das from Overmen to Mining Sirdars after the Decision of the Labour Appellate Tribunal in the appeals against the award of the All-India Industrial Tribunal (Colliery Disputes) and, if not, what relief they are entitled to.

[No. LR11/1(61)/58.]

S.O. 1621.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Muriidih Colliery, P.O. Mohuda (Dhanbad) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

THE SCHEDULE

Whether the change of designation of Shri Sarju Prasad Verma from Assistant Store Keeper to that of Assistant Store Issue Clerk was justified? If not, what relief he is entitled to?

[No. LR11/2(105)/58.]

A. L. HANDA, Under Secy.

New Delhi, the 30th July 1958

S.O. 1622.—The Government of the State of Orissa having nominated, in exercise of the powers conferred by clause (d) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), Shri K. C. Ray, I.A.S., Secretary to the Government of Orissa, Labour Department, Bhubaneswar, as a member representing the said State in the Employees' State Insurance Corporation, the Central Government, in pursuance of section 4 aforesaid, hereby makes the following further amendment in the notification of the Government of India in the Ministry of Labour and Employment No. HI-1(196)/57, dated the 15th March, 1958, namely:—

In the said notification, under the heading 'Members', for item 13, the following item shall be substituted, namely:—

"13. Shri K. C. Ray, I.A.S., Secretary to the Government of Orissa, Labour Department, Bhubaneswar."

[No. F.HI-1(51)/58.]

New Delhi, the 5th August 1958

S.O. 1623.—In pursuance of section 8 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby nominates Lt. Col. Jaswant Singh, Director General of Health to be a member of the Standing Committee of the Employees' State Insurance Corporation in the place of Lt. Col. C. K. Lakshmanan, and makes the following further amendment in the notification of the Government of India in the Ministry of Labour and Employment No. S.R.O. 2360, dated the 5th October, 1956, namely:—

In the said notification, for item (2), the following item shall be substituted, namely—

"(2) Lt. Col. Jaswant Singh, Director General of Health."

[No. F.HI-1(45)/58.]

P. R. NAYAR, Under Secy.

New Delhi, the 5th August 1958

S.O. 1624.—The following proposals for revising, in exercise of the powers conferred by clause (b) of sub-section (1) of section 3, read with section 4 and sub-section (2) of section 5 of the Minimum Wages Act, 1948 (11 of 1948), minimum rates of wages payable in respect of the categories of employees specified in the

schedule annexed hereto and employed in employments carried on by or under the authority of the Ministry of Works, Housing and Supply are published as required by clause (b) of sub-section (1) of section 5 of the said Act for the information of persons likely to be affected thereby; and notice is hereby given that the said proposals will be taken into consideration on or after the 5th October 1958.

Any objections or suggestions which may be received from any person with respect to the said proposals before the date so specified will be considered by the Central Government.

SCHEDULE

Categories of employees	All inclusive Minimum Rates of wages per day
	Rs. N.P.
1. Central Public Works Department (contract labour) in Ajmer (Rajasthan) Mines	1.75
2. Central Public Works Department (contract labour) within the Union Territory of Delhi, Bhustics	2.00
3. Central Public Works Department in Uttar Pradesh, Mazdoor or Beldar (Adult Female)	1.37

[No. LWI(1)-8(4)/57.]

P. N. SHARMA, Under Secy.

New Delhi, the 5th August 1958

S.O. 1625.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Delhi in the industrial dispute between the Shahdara Saharanpur Light Railway and its workmen.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DELHI.

PRESENT:

Shri E. Krishna Murti, Central Govt. Industrial Tribunal

New Delhi, the 5th July, 1958.

I.D. No. 88 of 1958

BETWEEN

The Shahdara Saharanpur Light Railway.

AND

Its workmen.

Shri A. P. Dhawan—for the management.

M/s. Kishan Singh and Y.D. Sharma—for the workmen.

AWARD

By G. O. No. S. O. dated the 5th May, 1958, the industrial dispute, between the management of the Shahdara Saharanpur Light Railway, and its workmen, has been referred to this Tribunal for adjudication under Section 10(1) (d) of the Industrial Disputes Act, 1947.

2. The term of reference is as follows:—

Whether the recent retrenchment of some of its workmen by the Shahdara Saharanpur Light Railway is justified, and, if not, what relief should be granted to such workmen.

3. The allegations in the statement of claim are, that a number of workmen of the S.S. Light Railway have been retrenched by the management, that it is arbitrary, illegal and unjustified, that it is not true that the income of the Railway had been badly affected, and that there was loss of Rs. 1,00,000/- per month, that, in fact, there is huge over-crowding, and passengers are travelling even on the roofs of the carriages, that there has been also considerable increase in goods traffic, that 45 percent. of the Calcutta Head Office expenditure is borne by the S. S. Railway from a long time, that a huge amount is spent on officers, that, if this expenditure is suitably pruned, more than Rs. 3,00,000/- can be easily saved, that unnecessary posts have been created, that the formula, adopted by the Railway, while retrenching the workmen, is partial, and has been done with a prejudiced attitude, that it is not true, that workload had been reduced due to curtailment of the mileage of the trains, and that the Company has ignored local requirements.

4. The management allege in their written statement, that the Railway is travelling a length of 93 miles, that the main source of its revenue is passenger traffic, that more than 142 buses are now plying in competition with the Railway, that, as a result of this, there is severe diversion of the railway passenger traffic to the road way, that the earnings have been seriously affected, that the drop came to 42 per cent. of the previous years' earnings, i.e., on an average, there has been a drop of Rs. 1,28,000/- per month in the earning of the Railway, that the budget was prepared for the year 1958-59, taking into account the alarming drop in earnings, that it was prepared so as to be within the anticipated figures of the income, that the Railway had to enforce an economy drive with effect from 1st April 1958, that wherever possible economies had to be introduced, that retrenchment had to be resorted to as an economy measure, that it is not true, that it is illegal or unjustified, as alleged by the workmen, that the retrenchment became necessary on account of the decrease in income, that the various allegations in the statement of claim filed by the workmen about the working of the Railway are untrue, that the list of the retrenched staff, filed by the Union along with their statement, is incorrect and mis-leading, that, despite the pendency of this dispute before this Tribunal, the workmen, under the instigation of the Union, resorted to violent and subversive activities, that the Superintendent, Mr. Dhawan, was assaulted by the workmen within the Railway premises, that the workmen also resorted to an illegal strike without notice, and that they are not entitled to any relief.

5. The issues, that arise for determination, are:—

- (1) Whether the retrenchment of the workmen in question is legal and justified?
- (2) If not, to what relief are they entitled?

Issues No. 1 and 2—

6. This is a dispute between the management of Shahdara Saharanpur Light Railway, and its workmen, in respect of the matters specified in the Scheduled. The question is about the retrenchment of certain workmen by the S. S. Light Railway.

7. At the time this dispute came on for hearing, both parties filed a memo, marked as Ext. M/1, which is in the following terms:—

"The above dispute was referred by both the parties to Shri M. C. Sharma, S. P. Saharanpur for arbitration. The learned arbitrator has given his award, a copy of which is enclosed herewith for information. Both the parties have accepted the award of the arbitrator. As such no further dispute on the issue in the above reference remains. The matter may be treated as settled and this Hon'ble Tribunal may be pleased to pass a 'no dispute' award."

8. In accordance with the compromise, set out above, and award is passed as follows:—

- (i) The matter in issue have been settled out of Court, and at present there is no dispute between the parties.
- (ii) No order as to costs.

(Three pages).

5th July, 1958.

(Sd.) E. KRISHNA MURTI,
Central Government Industrial
Tribunal; Delhi.

[No. LR-IV-3(37)/58.]
K. D. HAJELA, Under Secy.

New Delhi, the 31st July 1958

S.O. 1626.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment being a factory known as A. R. A. Shenbaga Nadar and P. V. P. Valasubramania Nadar, Madurai have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. P.F.II-9(21)/58.]

New Delhi, the 2nd August 1958

S.O. 1627.—The Government of Mysore, being one of the State Governments specified by the Central Government for the purpose of paragraph 3(1) (c) of the Employees' Provident Funds Scheme, 1952, and having nominated Shri M. Vasudeva Rao, I.A.S., Secretary to the Government of Mysore, Local Self Government and Public Health Department, on the Board of Trustees constituted under the said Scheme, in the vacancy caused by the resignation of Shri S. A. L. Razvi, I.A.S., the following further amendment is made in the notification of the Government of India in the late Ministry of Labour No. S.R.O. 1861 dated the 31st October, 1952, relating to the constitution of the Board, namely:—

In the said notification, for the entry "8-B, Shri S. A. L. Razvi, I.A.S., Secretary to the Government of Mysore Local Self and Public Health Department (Labour), Mysore", the entry "8-B Shri M. Vasudeva Rao, I.A.S., Secretary to the Secretary to the Government of Mysore, Local Self Government and Public Health Department, Mysore" shall be substituted.

[No. P.F.III 1(3)58.]

S.O. 1628.—In pursuance of paragraph 4 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby appoints Shri G. D. Goswami, I.A.S., Deputy Secretary to the Government of West Bengal Finance Department, to be a member of the Regional Committee for the State of West Bengal and makes the following further amendment in the notification of the Government of India in the Ministry of Labour No. S.R.O. 1278 dated the 20th June, 1953, namely:—

In the said notification, for entry (3), the following entry shall be substituted namely:—

"(3) Shri G. D. Goswami, I.A.S., Deputy Secretary to the Government of West Bengal, Finance Department, Calcutta."

[No. P.F.II 45(23)57]

S.O. 1629.—In pursuance of clause (e) of sub-paragraph (1) of paragraph 4 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby directs that in the notification of the Government of India, Ministry of Labour No. S.R.O. 1279 dated the 20th June, 1953 (relating to the Regional Committee for the State of Madras), the following entry shall be added at the end, namely:—

"(1) Shri K. Ramaswamy, Treasurer, Tamilnad INTUC, 3/66, Trichy Road, Coimbatore.

Non-official member of the Central Board of Trustees ordinarily resident in the State".

[No. P.F.II. 1(4)/58.]

S.O. 1630.—In exercise of the powers conferred by sub-section (1) of section 19 of the Minimum Wages Act, 1948 (11 of 1948), the Central Government hereby appoints the officers mentioned in column 1 of the table below to be Inspectors for the purposes of the said Act within the local limits specified in column 2 of the said table with effect from the dates mentioned against each in column

3 thereof, and directs that the following amendments shall be made in the Government of India, Ministry of Labour Notification S.R.O. 743 dated the 26th February 1957, namely:—

In the Schedule to the said notification.

- (a) Under "III Regional Labour Commissioner (Central), Bombay", after entry 2, the following shall be inserted, namely:—

"2A. Conciliation Officer (Central), Nagpur";

- (b) for "II Regional Labour Commissioner (Central), Nagpur", the following entry shall be substituted, namely:—

"VI Regional Labour Commissioner (Central) Jabalpur"; and

- (c) under "VI Regional Labour Commissioner (Central), Jabalpur", as so substituted, after entry 2, the following shall be inserted, namely:—

"2A. Conciliation Officer (Central), Ambala".

TABLE

Designation of the Officer	Territorial jurisdiction	Date
1. Conciliation Officer (Central), Nagpur.	The State of Bombay.	14th May 1957.
2. Conciliation Officer (Central), Ambala.	The States of Madhya Pradesh and Rajasthan.	7th August 1957.

[No. LWI-I-3-(51)/57.]

BALWANT SINGH, Under Secy.

MINISTRY OF INFORMATION AND BROADCASTING

ORDER

New Delhi, the 30th July 1958

S.O. 1631.—The Central Government hereby:

- (a) directs, in pursuance of the provisions of the Order of the Government of India in the Ministry of Information and Broadcasting No. S.R.O. 3805, dated the 26th December, 1955 and in modification of the Order of the Government of India in the Ministry of Information and Broadcasting No. S.O. 1319, dated the 25th June, 1958 that the Advisory Panel of the Central Board of Film Censors at Calcutta shall consist of 16 members with immediate effect; and
- (b) appoints, after consultation with the Central Board of Film Censors, the following persons as members of Advisory Panel of the said Board at Calcutta with immediate effect in exercise of the powers conferred by sub-rule (3) of rule 9 read with sub-rule (1) of rule 10 of the Cinematograph (Censorship) Rules, 1951:—

1. Shrimati Subhadra Haksar.
2. Dr. R. D. Tiwari.

[No. 11/3/58-FC.]

D. R. KHANNA, Under Secy.

